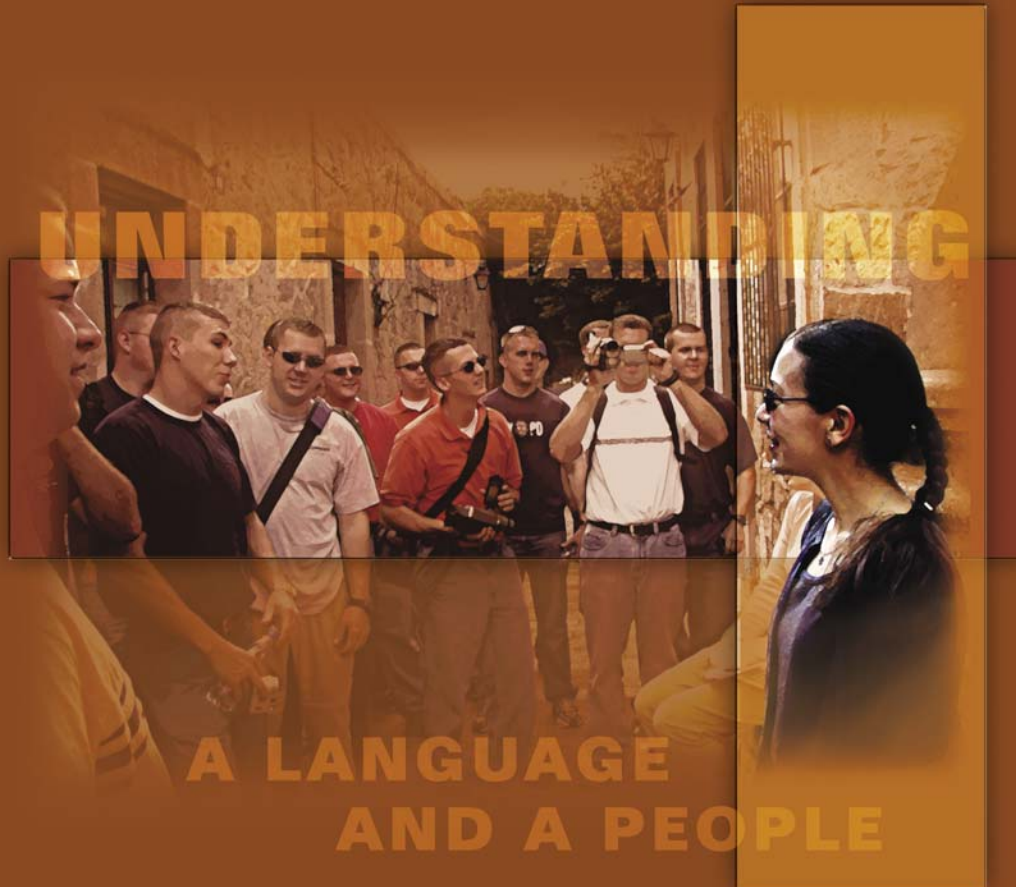


Kentucky Law Enforcement News

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The Kentucky Law Enforcement News (KLEN-News) staff is *in need of dynamic, law enforcement related photos* for possible publication in the magazine. We are interested in photos that are representative of all aspects of the law enforcement profession.

We are able to use black-and-white glossy, color prints or digital images. If we choose to use a particular photo in our magazine, appropriate credit will be given to the photographer. Because we cannot accept responsibility for lost or damaged prints, we ask that you send duplicates, not original prints.

KLEN-News staff is also able to publish upcoming events and meetings. Please include the event title, name of sponsoring agency, date and location of the event, and contact information.

The Department of Criminal Justice Training, like all state agencies, has been faced with a tight budget, and the Kentucky Law Enforcement News staff has taken steps to reduce production costs. The magazine is being printed on lower-weight paper and the number of pages has been reduced, which will also keep the mailing cost down. We are even taking our own advice from the last issue and searching for grants that might assist with some of the expense. But no matter what cost-cutting measures we take, the staff will not cut back on one thing: the quality of information that we provide to the Kentucky law enforcement community.

About the Cover

Police Corps recruits listen to Zaira Garcia as she talks about the history of Morelia, Mexico. For two weeks in November, the 24 Police Corps recruits lived with families in Morelia, Michoacan in Mexico as part of the Police Corp's Spanish immersion program. The immersion program helps the new officers better understand Kentucky's rising Hispanic population, and prepares them to work with this new portion of the community.



Paul E. Patton
Governor

Ishmon Burks
Justice Cabinet Secretary

John W. Bizzack
Commissioner

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The Difference In Real Success

*John W. Bizzack, Commissioner
Department of Criminal Justice Training*

Over the past several years, I've been fortunate to enjoy friendship and conversation with numerous chiefs, sheriffs, judges, prosecutors and other elected officials at the various levels of government. Most of our time together is occupied by discussion on issues surrounding the further development of the Kentucky law enforcement community through training, special programs and other initiatives. However, occasionally talk turns to certain viewpoints each of us have on what makes peace officers and law enforcement executives successful.

One such discussion recently led to a story illustrating how essential it is that people perform to the best of their ability and how real success is nothing more than this.

The story is about a young Naval officer who had applied for duty in the nuclear-submarine program. Adm. Hyman Rickover, the head of the U.S. Submarine Service, was interviewing the officer. They sat in a large room by themselves for more than two hours. Rickover allowed the young officer to choose any subject he wished to discuss. Very carefully, the officer chose those topics he knew the most about at the time:



Commissioner John Bizzack

Current events, seamanship, music, literature, electronics and gunnery. Rickover began asking him questions of increasing difficulty. Soon, the admiral had proven that the young officer knew relatively little about the subjects he'd chosen.

Adm. Rickover asked how the officer stood in his class at the Naval Academy. The officer's chest swelled with pride as he recounted how he had done very well and stood 59th in a class of 820 students. He sat back, waiting for the congratulations from Rickover, who instead asked one question, "Did you do your best?"

The young ensign started to say, "Yes, sir," but remembered who he was talking to and recalled several times in the academy when he could have learned more about various subjects. He then replied,

"No, sir, I didn't always do my best."

Rickover looked at him for a long time and turned his chair around, signaling the end of the interview. He asked one final question, which the young officer was not able to answer. He asked, "Why not?" The ensign sat there for a minute, and then slowly left the room.

The young Naval officer was former Georgia Governor and President of the United States, Jimmy Carter. Adm. Rickover probably made a lot of people nervous as a result of that one question.

This story led to further group discussion. A follow-up question was posed: "How would you stack up these days, in the midst of the important work to be done in law enforcement, work that is being done by a lot of bright, hardworking people?" The question served as a reminder that a person must do their best every day, all over again.

Folks in every field and profession may become bored or uneasy with themselves and occasionally shirk what they know they should be doing. It was agreed that the happiest, most content and successful peace officers and executives we all knew were those who perform to the best of their ability each and every day.

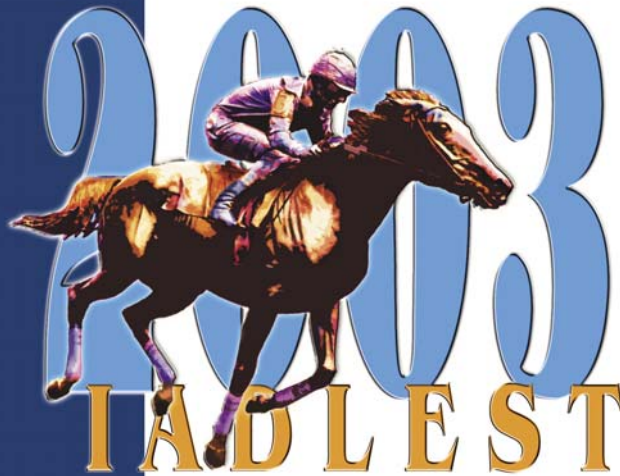
It was also agreed that in the important and evolving field of policing, it is not the number of acts you perform but, rather, the efficacy with which you perform that counts the most. Truly successful people are maturing people who grow more productive and more interesting as they grow older and more efficient in their work. These individuals seem to be the ones who never run out of interesting and challenging things to do.

Another point was made before our discussion ended, and this one seems even more important in this era of community policing: Really successful people in this field are inclined to thrive in most categories outside their work. They tend to be good family men and women and have wide-ranging interest and enthusiasm for those things beyond and outside the field of law enforcement. In other words, their entire world is not centered exclusively around the work of being a peace officer or leader in a law enforcement organization.

It's often said that people seek to gratify their desires with the least exertion. The difference in real success, in any field, lies between what we say we want and what we're willing to settle for.

By applying this to the Kentucky law enforcement community, we have seen over the past several years an effort to raise the bar within the field, to maintain standards, develop more structure in certain departmental policy and to encourage young officers to grow outside of their chosen career. Those elements are found throughout the state in all levels of the police community and translate into people doing their best.

Kentucky to Host IADLEST 2003



*Carolyn Schaefer, Procedures Development Coordinator
Deputy Commissioner's Office*

The 2003 IADLEST Conference, "Making The Grade On Funding," will be held June 15 to 21, 2003 at the Embassy Suites, located on Newtown Pike in Lexington. Plans are well underway to showcase our agency and our state as we welcome IADLEST members and guests to the Bluegrass for a taste of southern hospitality.

The International Association of Directors of Law Enforcement Standards and Training (IADLEST) is a nonprofit organization comprised of law enforcement training managers and leaders. Its mission is to research and share information, ideas and innovations that assist in the establishment of effective and defensible standards for the employment and training of law enforcement officers. DOCJT Deputy Commissioner Herb Bowling is the second vice president, and will serve as president of the organization during 2004.

The convention plans are progressing. The executive committee is scheduled to meet Monday, June 16, with the President's Reception being held that evening. The official opening ceremony will be Tuesday, June 17, which is also the formal opening of the exhibits. On Friday, June 20, will be the annual banquet and installation of officers.

An array of topics will be covered in the training sessions, such as Innovative Funding Sources, Grants, Anti-Terrorism, Physical Training Standards and Training Validation Study. Registration for the conference and hotel reservations may be made online by visiting our Web page <http://docjt.jus.state.ky.us>. For more information on the 2003 IADLEST convention, please contact Carolyn Schaefer at (859) 622-2302.

The staff at DOCJT is actively involved in planning and preparing for this event, headed by co-chairmen Horace Johnson and Greg Howard. Whether our job is enlisting vendors, obtaining speakers and trainers or preparing for the Special Olympics 5K Run and special auction that is held at each IADLEST conference, we are excited about hosting IADLEST 2003!

DOCJT Conducts Client Survey

DOCJT Staff Report

The Department of Criminal Justice Training conducted a statewide client survey to determine if DOCJT is meeting the training needs of and providing necessary services to the Kentucky law enforcement community. The client survey also gauged the effectiveness of current programs and identified future priorities. To ensure a broad survey of DOCJT clients, programs and services, 3,854 survey instruments were mailed to clients in six groups: chief executive officers, professional organizations, basic training graduates, telecommunications academy graduates, professional development training participants and coroners. Of the 3,854 surveys mailed, 2,001 surveys (51.9 percent) were returned and tabulated.

The DOCJT sought a survey expert who could perform the survey objectively and who possessed the credentials and experience to provide an executive-level, statistically valid survey and report. Additionally, it was important that the survey expert had no affiliations with Kentucky law enforcement, Kentucky law enforcement professional organizations or the DOCJT. These attributes were found in Robert Cobb of Bowling Green, Kentucky. Cobb serves as the director of Institutional Research at Western Kentucky University.

Preliminary analysis of survey results indicates strong support for law enforcement training and a high degree of satisfaction with DOCJT instructors, personnel, courses and programs. Surveyed topics with notably high ratings include the professionalism and knowledge of instructors and staff, the provision of safe training environments, understanding of and appreciation for the honor code and the fair application of discipline.

Survey responses also indicate DOCJT's opportunity for improvement. The department will move quickly to address survey items that received the lowest ratings, though every survey item received a rating of "strongly agree" or "agree." In August 2002, each DOCJT division, branch and section performed a comprehensive analysis of the lowest rated survey items and submitted action plans that facilitated necessary or appropriate changes. Status reports will be published and released to clients throughout the year.

More information concerning survey results will be published later this year. A full copy of the survey can be obtained by contacting Shannon Sanders, DOCJT program coordinator, at (859) 622-2967.

The following tables represent the top five and bottom five survey items in terms of client satisfaction, sorted by client group:



CEO RESPONSE

Police Chiefs, Sheriff & Agency Directors

HIGHEST RATED ITEMS	Mean
The registration staff is professional and courteous.	1.37
The POPS office is readily available to answer questions.	1.40
DOCJT employees use courteous and professional telephone etiquette.	1.40
Investigators/auditors are courteous and professional.	1.42
POPS personnel are professional and knowledgeable.	1.42

LOWEST RATED ITEMS	Mean
DOCJT offers a sufficient quantity of training at convenient locations.	1.89
The DOCJT welcomes suggestions for improvement.	1.85
The POPS physical agility standards allow recruits to meet job responsibilities.	1.80
I am aware that agencies have input into the topics offered for in-service.	1.80
I am familiar with the Kentucky Police Corps program.	1.79

PROFESSIONAL ORGANIZATION RESPONSE

HIGHEST RATED ITEMS	Mean
The DOCJT offers a safe training environment.	1.35
DOCJT employees are professional and courteous.	1.35
DOCJT employees use courteous telephone etiquette.	1.38
I would recommend the Police Corps program to college students, including those not interested in law enforcement, as a primary career.	1.41
I support the Basic Training and Telecommunications honor code.	1.45

LOWEST RATED ITEMS	Mean
The DOCJT Web site is a valuable source of information for this organization.	2.00
DOCJT offers a sufficient quantity of training at convenient locations.	1.82
DOCJT instructors are knowledgeable in topics covered.	1.79
DOCJT keeps us informed about new programs.	1.78
The Public Affairs office is professional and courteous.	1.76

BASIC TRAINING GRADUATE RESPONSE

Graduates of 16-week basic academy implemented in January 1999

LEGEND

HIGHEST RATED ITEMS	Mean
The DOCJT offers a safe training environment.	1.51
I support the Basic Training Academy honor code.	1.60
The DOCJT uses proper training aids and equipment for training classes.	1.63
The Basic Training staff provided me with the basic skills to be a police officer.	1.66
The mandatory fitness program prepared me to meet the exit standards.	1.67

LOWEST RATED ITEMS	Mean
The DOCJT welcomes suggestions toward improvement.	2.30
Instructors recognized when students were having difficulty understanding materials.	2.10
Instructors kept students motivated.	1.99
The current Defensive Tactics program prepared me to meet physical confrontation.	1.97
Information I received from DOCJT prior to my arrival was helpful.	1.97

TELECOMMUNICATION GRADUATE RESPONSE

Graduates of 4-week telecommunication academy implemented in January 1999

HIGHEST RATED ITEMS	Mean
The DOCJT offers a safe training environment.	1.49
DOCJT instructors exhibit a professional attitude.	1.50
I support the telecommunications academy honor code.	1.51
Instructors were prepared for class.	1.58
Instructors were able to answer student questions thoroughly.	1.62

LOWEST RATED ITEMS	Mean
I would use on-line registration to schedule classes.	1.93
DOCJT courses are challenging.	1.92
The DOCJT Web site is informative.	1.88
DOCJT offers a sufficient quantity of training at convenient locations.	1.86
DOCJT legal training bulletins are a helpful training tool.	1.84

CORONER RESPONSE



HIGHEST RATED ITEMS	Mean
The registration staff is professional and courteous.	1.42
The DOCJT offers a safe and comfortable training environment.	1.46
The coroner training staff is professional and knowledgeable.	1.51
Registration provides adequate notice of class status.	1.54
The facilities at DOCJT are conducive for learning and training.	1.56

LOWEST RATED ITEMS	Mean
Coroners have adequate input into the types of courses offered for credit.	2.18
Topics covered in coroner training adequately meet our agency needs.	1.85
Instructors recognized when students were having difficulty understanding materials.	1.82
Instructors displayed enthusiasm for course material.	1.82
Instructors kept students motivated.	1.82

IN-SERVICE TRAINING PARTICIPANT RESPONSE

In-Service Training Participants since January 2000

HIGHEST RATED ITEMS	Mean
The in-service training staff is professional and courteous when we call for assistance.	1.41
The DOCJT offers a safe training environment.	1.48
DOCJT instructors exhibit a professional attitude.	1.49
DOCJT instructors are knowledgeable in their topic area.	1.55
Instructors were prepared for class.	1.59

LOWEST RATED ITEMS	Mean
I am familiar with the Kentucky Police Corps program.	2.00
The 'facilitation style' of in-service training improves the retention of critical skills and knowledge.	1.89
The 'facilitation style' of in-service training has improved the quality of in-service training.	1.85
DOCJT courses are challenging.	1.84
Instructors recognized when students were having difficulty understanding materials.	1.83

VERTICAL JUMP REMOVED FROM POPS STANDARDS

*Thor Morrison, Executive Staff Advisor
Kentucky Law Enforcement Council Office*

In November, Governor Paul Patton signed emergency regulations that effectively removed the vertical jump from the Kentucky Law Enforcement Council's (KLEC) Peace Officer Professional Standards physical agility standard for applicants. The regulations, endorsed by both the Department of Criminal Justice Training and the KLEC, provide for five tests that applicants must pass to be considered for peace officer positions. The remaining tests are unchanged from the 1998 statute and accompanying regulations.

Dr. Bryant Stamford of the University of Louisville was contracted in October 2002 to assess the overall status of the physical agility standard. The resultant study included input from a majority of the chiefs and sheriffs throughout Kentucky. Stamford argued persuasively in his report that the vertical jump was an unnecessary component of the six test standard as the 300 meter run was 1) sufficiently predictive of an applicant's performance and 2) that it measured similar physical attributes as the vertical jump. In short, the vertical jump was redundant and unnecessary.

Couple redundancy with the persistent negative attention the vertical jump has received and the choices narrowed considerably. The vertical jump was the first in a series of six tests that comprised the physical agility standard. Given its first position, many applicants

would not continue testing if they failed that component. Additionally, many argued that the test was skill-based and therefore an invalid measure. Still others simply made it the lightning rod for their frustration over test results. For nearly four years the KLEC office gathered data and reported to the council.

Since 1998, it has been a stated position of both the Department of Criminal Justice Training and the Kentucky Law Enforcement Council that any substantive changes made to the physical agility battery would be deliberate and solidly grounded in empirical evidence. That amassed evidence, the collective perceptions of the chiefs and sheriffs of Kentucky, and the concurrence and approval of the governor, secretary of the Justice Cabinet and the council, gave cause to eliminate the jump.

Stamford argues that the 1998 Collingwood study, which established the physical agility standards and protocols, has served the Commonwealth well and that there is no need to make changes elsewhere within the standards. Pursuant to council resolutions, the KLEC office will be expanding the scope of data collection to continue monitoring the impact of the physical agility standard upon applicants and will continue to report to the council. For more information, contact the KLEC office at (859) 622-6218.

KLEC Strengthened With Cooper's Leadership

*Thor Morrison, Executive Staff Advisor
Kentucky Law Enforcement Council*

Former Paintsville mayor Robin Cooper vacated his seat on the Kentucky Law Enforcement Council as of January 6. Cooper, who was chairman of KLEC, lost his run for a third term as mayor in November, and thus his spot on the council. He had filled the KLEC slot that was specifically for a mayoral representative. He was originally appointed to the Kentucky Law Enforcement Council in 1995 by then-Governor Brereton C. Jones and, in recognition of his service, was reappointed to a second term in 1999. Cooper was elected to the office of mayor of Paintsville in 1993 for a five-year term and re-elected in 1998 to a four-year term. Cooper continues to serve as a member of the Kentucky Law Enforcement Memorial Foundation and the Kentucky Police Corps Advisory Committee.

"Robin's service to the entire Kentucky law enforcement community can be seen daily in the consistent application of uniform police standards," DOCJT Commissioner John Bizzack said. "He has been involved in every major initiative which led to improvements in Kentucky policing for the past eight years."

Cooper is the immediate past president of the Kentucky League of Cities, where he was also a member of the executive board.

He was recently elected as the first vice chair of the Southern Municipal Conference of the National League of Cities. In his professional capacity, Cooper is president of Cooper News, Inc., and sits on the board of directors of Citizen's National Bank and Citizen's National Holding Co.

During Cooper's tenure, the Kentucky Law Enforcement Council has become increasingly active and deliberative. Under his chairmanship, the council accepted the statutory responsibility of overseeing the Peace Officer Professional Standards Act, acquired and utilized the authority to promulgate administrative regulations, expanded the role of curricular and instructional monitoring, and witnessed support staff grow from two to 11. Operationally the council has evolved to a more dynamic role in the support of quality law enforcement and law enforcement training. Much to Cooper's credit, his service on the council will be missed.

"Mayor Cooper has consistently supported efforts to improve Kentucky law enforcement at every level," KLEC Executive Director Larry Ball said. "Mayor Cooper's advice and counsel will be greatly missed."

Basic Training NEWS

*Jeff Burns, Section Supervisor
DUI Enforcement Section*

The Basic Training Branch has settled into new offices and classrooms in the John W. Bizzack Training Complex. This complex has provided the much-needed space for staff and recruits, and has considerably eased the overcrowding in the Funderburk Building. Recruits have been especially appreciative of the new facility – most notably the new dormitory rooms.

The Basic and Advanced Skills Firearms Section recently had a new firearms simulator installed at the McKinney Skills Complex. It is a Judgmental Pistol Shooting System manufactured by Interactive Image Systems. This system operates from two desktop computers and allows shooters to use their own weapon with a special barrel insert. The system comes equipped with more than 80 scenarios, and allows the DOCJT to produce and film its own scenarios.

The driving simulator building is nearing completion. The Basic and Advanced Skills Vehicle Operations Section expects to occupy the new office, classroom and simulator facility by early 2003.

The Physical Training Section has moved into the new multi-purpose facility. This state-of-the-art building features office space for staff, classrooms, scenario rooms, weight training equipment and a 200-meter indoor running track. The new facility now allows the physical training staff to conduct conditioning training regardless of the weather. The Physical Training Section will conduct two 40-hour Pressure Point Control Tactics (PPCT) Defensive Tactics Instructor Courses for 2003. Both are in Richmond and start June 16 and October 13.

The Evaluation Section is entering into its eighth Basic Training class under the new modular concept. The five evaluation points, (Theft, Warrant/Disorder, Traffic Stops, Crimes Against Property and Crimes Against Persons) are designed to challenge recruits with realistic situations they may experience on the street. The instructors have noted a significant improvement in recruits' abilities, especially in their critical thinking and judgmental skills. Feedback from recruits has been very positive.

The class coordinators of the Evaluation Section also coordinate a special project for each Basic Training class. This continues to be a very popular part of their 16 weeks and allows them an opportunity to give back to the community. Listed are a just a few of the most recent projects:

- Distributed child identification kits
- Organized a blood drive
- Furnished back to school supplies to underprivileged children
- Took Christmas presents and sang carols to the elderly at the Crestview Nursing Home
- Took 20 underprivileged children Christmas shopping at Wal-Mart
- Donated 60 coats to the elderly and children of Madison County

The Madison County 4-H recognized Class 316, 318 and the DOCJT as the 4-H Supporters for 2002.

F.Y.I.

Homeland Security Update

*Clay Bailey, Special Projects Coordinator
Commissioner's Office*

The Department of Criminal Justice Training has a variety of training programs and services to improve Kentucky law enforcement's capability to combat terrorism and respond to possible terrorist acts.

The Professional Development Branch has begun teaching a new course — Terrorism: What Patrol Officers Need to Know. The executive level Command Decisions class, taught four times in 2002, focused on terrorism.

DOCJT is also developing a capability to facilitate services at the request of law enforcement agencies with emphasis on the smaller departments. These include threat and vulnerability assessment, tactical incident response training, first responder protective equipment and an exercise and evaluation program.

DOCJT is planning to facilitate threat and vulnerability assessments utilizing the state's senior law enforcement officers as assessors. These officers will be formed as "Red Teams" and instructed in threat assessment and target hardening to take a structured look at their jurisdiction the way a terrorist would. This will lead to identifying those security improvements possible within existing resources and other longer-term improvements, which will require additional resources.

If Kentucky is to substantially improve its tactical incident response capability, it must take a multi-jurisdiction approach similar to those of Maryland and northern Illinois.

DOCJT begins Special Response Team Tactics training with four courses in 2003. We would like to encourage interested agencies without sufficient numbers of qualified officers to form their own team to partner with adjacent jurisdictions to form teams. In addition to training in Richmond, DOCJT ultimately hopes to provide equipment to officers coming through training to assure quality and promote standardization and interoperability among the state's tactical teams.

In the event of a terrorist act, law enforcement officers will be the first responders. In order to accomplish the mission of assessing the situation and controlling the site in a chemical, biological or explosive event, law enforcement agencies must be better equipped with protective equipment than most of our agencies. DOCJT is developing a recommended minimum equipment list and will work to facilitate procuring this on behalf of state agencies.

One notable shortfall is that most small departments do not have the capability to plan and conduct exercises and evaluations. Ultimately, DOCJT would like to develop a team of evaluators to be available to law enforcement departments to develop scenarios, monitor exercises and provide formal feedback. In the interim, we will work within our capability to provide exercises at an agency's request.

If you are interested in any of these developing services, please contact Special Projects Coordinator Clay Bailey at (859) 622-8475, or e-mail mbailey@docjt.jus.state.ky.us

DOCJT Offers New Tactical Courses

*Jim Simpson, Section Supervisor
Incident Command/Tactical Response Section*

The difficult and dangerous times experienced by law enforcement since September 2001 has made administrators devise ways to counter this new threat. Prior to the terrorist attacks, the progressive administration of DOCJT chose to develop a section to train emergency response teams in the use of special weapons and tactics.

This new group is called the Incident Command and Tactical Response Section and is part of the Professional Development Branch. Basic Special Response Team Tactics is a new course offered through this section. The two-week course will concentrate on team development, tactics and physical fitness. Officers will be taught to resolve dangerous situations with training in tactics, rappelling, movement shooting, using ballistic shields and rescuing injured civilians and officers.

Officers will have to pass a physical fitness and firearms qualification test to continue in the course. Part of the training day will include time on the range. Officers will also learn to shoot wearing a gas mask and clear a room with an entry team using live fire.

The last hour of instruction every day will be spent in a team exercise with the officer doing physical fitness training as part of a tactical team.

This course will be challenging, but when officers complete it they will have the confidence and ability to meet the demands that a tactical team will face.

TWO NEW COLLISION INVESTIGATION COURSES TO MAKE DEBUT

*Karen Cassidy, Section Supervisor
Patrol & Traffic Section*

This year will be busy for the Professional Development Branch at the Department of Criminal Justice Training. In addition to all the other new courses, officers in the Commonwealth will be able to continue their education in the field of vehicle collision investigations.

At the present time, DOCJT provides the initial level of instruction, Vehicle Collision Investigation Course Level I (previously known as Basic Accident Investigation Course). Officers who wished to continue with advanced accident investigation classes or accident reconstruction were previously required to attend training out of state, or attend training in Kentucky every other year.

Not anymore! In February 2002, Richard Parkos joined the Professional Development Branch of DOCJT. Parkos came to Kentucky after working nine years with the Institute of Police Technology and Management (IPTM) located at the University of North Florida. Parkos was the coordinator of the accident investigation section at IPTM.

The DOCJT will now offer three 80-hour courses in traffic accident investigations.

Early in 2002, the Basic Accident Investigation Course was re-written and given a new title, Vehicle Collision Investigators Course Level I. The course was updated to include the newest information and tech-

niques in this ever-changing field.

In February 2003, the second course in the series of three, Vehicle Collision Investigators Course Level II debuted. This course is nationally recognized as being one of the most challenging law enforcement courses in the field of vehicle collision investigation. This class covers the following topics: advanced mathematics, introduction to kinetic energy, vehicle electric lamp examination, tire forensics, study of Newton's Laws of Motion, introduction to time/distance/motion, vehicle acceleration testing, geometry and trigonometry, vehicle impacts involving conservation of linear momentum and many more topics.

In October of this year, the third course in this series will debut. Vehicle Collision Investigators Course Level III will provide instruction into the analysis and reconstruction of vehicle collision. The most spectacular part of the course will be the staged crash. Students will witness, then complete an investigation of a live, staged crash between two vehicles. Other topics will include occupant kinematics, airborne studies and vector analysis of collisions.

This course will tie together the topics instructed in the previous two courses. Officers completing the three levels will have the knowledge to obtain the status of an expert in this field.

Telecommunications Providing New Courses for 2003

*Mike Keyser, Training Instructor
Telecommunications Section*

The telecommunications sections of the Department of Criminal Justice Training have been busy developing and implementing new classes and programs for this year. New in-service courses have been designed based on clients' needs and current national trends.

The first of these courses, Telecommunicator's Response to Acts of Terrorism, is designed to provide information for telecommunicators and call takers about acts of domestic terrorism. Types of terrorism calls and information on different terror organizations and their agendas will be included. This course will serve as an elective course in the new Career Development Program for telecommunicators.

There is also a new course for supervisors or those people preparing to be in a supervisory position. Telecommunications Supervision Basic includes subject areas such as role of

the first-line supervisor, managing a diverse workforce and legal concerns for the first-line supervisor. This course is a core requirement in the Career Development Program for Telecommunications Supervisors/Managers. Next year's plans call for the development of a 40-hour Telecommunications Management class.

Another course, Medical Needs Callers, has been updated and now utilizes the newest edition of Powerphone's Medical Desk Reference Manual. The information in the new edition is necessary for dispatch centers to remain compliant with standards set by the American Society for Testing and Materials and the Department of Transportation.

Please consult the DOCJT Training Schedule for more information and dates on these courses.

MAINTAINING PROPER NUTRITION REQUIRES PLANNING

*Ron Dotson, Training Instructor
Physical Training Section*



When working the street, most officers eat what is convenient, cost effective and/or time efficient, grabbing what is available between calls. This means that most individuals usually eat too much fat and eat at the wrong times. To compound the problem, many skip breakfast and try to live on coffee and soft drinks. In effect, many officers become overweight and their energy levels rise and drop like a roller coaster.

This is not going to be a lecture on proper nutrition and a strict diet that is difficult to follow. It is naive to think that most people would follow that type of plan. This strategy basically combines an eating schedule with a common sense approach of what to eat.

A few years ago, I was falling into the trap that I described at the beginning of this article. To improve my overall health, I came up with a schedule of times that I should eat. I followed these simple

guidelines: not eating within three hours of my workout, not eating within three hours of going to sleep, and eating several meals per day. I tried to keep in mind the times that I was the busiest during the shift. Hence, to succeed, it may be necessary to carry some healthful snacks in your gear bag in order to follow the schedule as close as possible.

All times revolve around the start of the shift, which is called the zero hour.

The snack listed just after the workout time is a post-workout snack, which should be a healthy snack eaten just after finishing the last set. Preferably the snack should be eaten within 15 minutes of the workout, and should contain complex and simple carbohydrates. Try to keep the snack to 180 calories with about one third of them from simple sugars. This means that the calories from sugar should be 60 calories. Some examples of simple carbohydrates are sports drinks, soda, energy bars, dairy products and weight gain drinks. Examples of complex carbohydrates include rice, grains, potatoes, cereals, wheat products and vegetables.

It goes without saying that the better the food people eat, the healthier they will be. However, it is unrealistic to expect a person not to eat a burger or drink a Mountain Dew. However, by following some simple rules, people can eat what they like, within reason. It is important to avoid excesses. Take these into account:

- Excess sodium can be a factor for hypertension.
- Excess fat is a factor in elevated cholesterol levels.
- Excess sugar contributes to diabetes.
- Excess calories are a factor in obesity.
- Excess caffeine can affect the heartbeat.

To successfully improve overall health, four things must be accomplished: eat a variety of foods; decrease sugar and increase complex carbohydrates; decrease fat, especially saturated fat; and never eat until you are full.

DAY SHIFT

		<u>EXAMPLE</u>	
-1.5 - 1 Hour	Breakfast	0530 - 0600	Breakfast
0 Hour	Roll Call	0700	Roll Call
+1.5 Hours	Light Meal	0830	Light Meal
+4 Hours	Lunch	1100	Lunch
+6 Hours	Snack	1300	Snack
+9 Hours	Workout Snack	1600	Workout Snack
+12 Hours	Evening Meal	1900	Evening Meal

EVENING SHIFT

		<u>EXAMPLE</u>	
-5 Hours	Breakfast	0900	Breakfast
-2 Hours	Workout Snack	1200	Workout Snack
0 Hour	Roll Call	1400	Roll Call
+2 Hours	Snack	1600	Snack
+4 Hours	Lunch	1800	Lunch
+7 Hours	Snack	2100	Snack
+9 Hours	Light Meal	2300	Light Meal

MIDNIGHT SHIFT

		<u>EXAMPLE</u>	
-6.5 Hours	First Meal/Breakfast	1630	First Meal/Breakfast
-3.5 Hours	Workout Snack	1930	Workout Snack
0 Hour	Roll Call	2300	Roll Call
+1 Hour	Snack	0000	Snack
+3 Hours	Snack	0200	Snack
+5 Hours	Largest Meal	0400	Largest Meal

Begin reading the dietary labels on food items, and request the nutritional information at restaurants. Pay close attention to carbohydrates, for they are the first source of energy for the body. They are listed as total grams, and under carbs, sugars are listed. This means that of the total grams of carbohydrates, so many are simple sugars. Select foods that have a smaller percentage of simple sugars. For example, if the food has 22 grams of carbohydrates and 7 grams of that is listed as sugar, then the food is probably a good choice.

However, if the food has 16 grams of sugars, then the food does not have a desirable ratio. If a person chooses to eat a food high in sugars, it is advised to limit sugar intake for the remainder of the day's meals.

The same principle applies to fat. On a nutritional label, fat is further classified as saturated. A food with a lot of saturated fat in its total fat is not a good choice. Use the same 'no excess' rule. Look at peanut butter in particular, which lists a lot of fat per serving. However, a good portion of it is unsaturated fat. It should be noted that many so-called "diet foods" are not always a good choice. Take for instance "lite" peanut butter; most of the fat that is cut out is the unsaturated fat, not the saturated fat that should be avoided.

Officers' schedules dictate their eating choices, thus fast food is often the only option. But in this category the "no excess" rule can still be utilized. Subway offers a healthier choice of food. It is possible to eat healthier than normal at popular fast food places by making minor adjustments. A Burger King Whopper usually has 640 calories with 39 grams of fat. However, by ordering it without mayonnaise, the calories go down to 430 with 16 grams of fat. A B.K. Broiler Chicken without mayo comes in at 330 calories and only 5 grams of fat. A McDonald's hamburger is listed at 270 calories with 9 grams of fat. A McGrilled Chicken sandwich has 260 calories with only 4 grams of fat. Wendy's offers a Grilled Chicken with 290 calories and 6 grams of fat. A Jr. Cheeseburger Deluxe has 360 calories with 15 grams of fat. One can order these foods without mayonnaise and save more calories and fat. A baked potato with sour cream and chives has 380 calories with only 6 grams of fat, and is a much better choice than fries.

The "no excess" rule must also be used in selecting drinks. Plain and simple, people should drink water. Other choices could be skim milk, fruit juices and diet sodas. Again, do not drink too much of any of these.

Officers, and the general public as well, do not have to go on a strict diet to improve overall health. It can be done without a big change in lifestyle. A slight change in a fast food order and common sense about over indulgence can make such a great change. Remember, you owe it to yourself, your fellow officers and your family to remain as healthy as possible. Nutrition is a large part of health and athletic performance.

A more serious approach begins by evaluating current levels of health. Use a meal table to record all meals, snacks, etc. for five days. It is important to record the carbs, sugars in carbs, fat, and protein. This would be considered a baseline of calories. In other words, this is what the body needs to maintain its present weight. Now figure the percent of calories that are from carbs, fat and protein in relation to total calories.

The second step is goal evaluation. What is the desired outcome? Weight gain? Weight loss? Perhaps a reduction in body fat? In general, if a person takes in fewer calories than they expend, they will lose weight.

The next step is the plan for accomplishing the goal. Look at the five day evaluation and cut back fat to no more than 10 percent of total intake. Cut or add carbs until they are 50 percent. Increase or cut the protein to 40 percent. Now follow the "500 rule." Reduce the calories by 500 per day for weight loss. It is also best to exercise in order to aid in the weight loss and to keep it off. A pound of fat is equal to about 3,500 calories. The 500 calories per day adds up to 3,500 calories per week. A loss of one pound per week can be expected without exercise.

The same "500 rule" applies if weight gain is desired, by adding 500 calories per day. It is important to incorporate exercise and resistance training. The calories will probably come from additional protein. If an individual wishes to gain weight while exercising, he or she will need to eat at least .4 gram of protein per pound of body weight. If more calories are needed, then try to add them in the form of complex carbohydrates, which are carbs other than simple sugars. The following foods are high in protein and lower in fat: fish, turkey, chicken, skim milk and eggs.

Another consideration is the glycemic index, which refers to carbohydrates and how quickly they are absorbed into the blood for use as energy. The higher the rating, the faster it is available as an energy source for the body. In the early parts of the eating schedule it is important to eat foods with a low glycemic index. Therefore, energy is more time released through the day, thus energy will not spike and then fall off quickly. It is advised to consume more of the low glycemic indexed foods, except for the post workout snack. In this case expended energy needs to be replaced as quickly as possible to enhance recovery of the muscle tissue. Consider the table below when following the glycemic index.

Glycemic Index

White Potato	98	Sweet Potato	51
Carrots	92	White Pasta	50
Honey	87	Oats	49
Cornflakes	80	Oranges	40
White Rice	72	Apples	39
White Bread	69	Skim Milk	32
Brown Rice	66	Grapefruit	26
Banana	62	Peanuts	13
Bran	51		

This is a basic, down and dirty plan. Nutrition and diet is a very complicated subject. This plan simply follows the rules associated with nutrition. Choice of food can sometimes make the difference for someone with weight or energy problems, both are concerns for the peace officer. An officer must be able to go from sitting in a car for a long time, to fighting, or chasing, or doing C.P.R. and still have the energy left to properly file a report and continue the shift. The officer should also have enough left to interact with his or her family when at home. continue the shift. The officer should also have enough left to interact with his or her family when at home.

F.Y.I.

CHALLENGE COURSES

An Old Idea Being Used To Train Today's Peace Officers

Billy Fryer, Training Instructor
Police Corps Section

Instructor Billy Fryer gets his students to think "Outside the Box"



The idea of using challenge courses in police training is most prevalent in states with a Police Corps program. In 1997 Police Corps began utilizing this training opportunity, and in 2001 the Department of Criminal Justice Training, in partnership with Eastern Kentucky University and Police Corps, built and began using their own course.

The real challenge with the course is getting people to understand its usefulness. Once agencies have a clear understanding of the course, or better yet, have had an opportunity to participate in a class that uses the course as part of the curriculum, most of their minds are changed.

The objectives that are identified with the use of the challenge course at DOCJT are beneficial to training today's police officer. All of these objectives can only make officers better prepared.

- Team Work
- Leadership
- Communication
- Problem Solving
- Listening
- Processing Information
- Confidence



The challenge course at DOCJT has different elements that help to meet the many objectives.

There are 12 **High Course** elements, which are 30 to 35 feet above the ground. All high elements have a safety method where by the participants are attached to a static belay system that prevents the participant from falling more than 18 inches.

The **Tango Tower** makes up the second group of 13 different elements. The tower is 42 feet high and again the participant is attached to a belay system that acts as a means of safety.

The third group of elements is the **Low Course**, which are at a maximum height of 1 to 3 feet off the ground. These elements are the core of teaching the previously listed objectives. At first glance they do not look very challenging. However, once the goals, rules and time limit are set, the real challenge begins. Many of these elements can take up to two hours to successfully complete.

An interesting twist to many of the elements is something we call *STRANGE and WONDERFUL THINGS*. These *Things* are best described as either penalties or rewards that are earned as the group performs the element. For example, while attempting to complete an element someone breaks a rule. For this transgression, the entire group may be penalized by no longer being allowed to talk to one another. The group must now continue to perform the task by using hand signals or writing notes. A *Wonderful*, or a reward, may be given in the form of easy access or extra time to complete an event.



Another form of problem solving that is used on the course is *Initiatives*, which are complex problems, involving strict rules and time limits. An example of one of the favorite initiatives involves a 16 oz. can of explosive liquid (water) with a detonator (foam ball) set in the middle of a 30' circle.

The challenge course is currently being used by the Police Corps classes approximately 90 hours as part of their 1,290-hour curriculum. In the future DOCJT plans on including the challenge course in the Basic Training curriculum, and several of the 2003 Professional Development classes. The course is available to law enforcement agencies at no cost, providing the schedule is open and the department qualifies for KLEFPF. The course is also available for private groups through Eastern Kentucky University.

As a final thought, please consider this: For those agencies that are concerned about injuries, national statistics relate that all aspects of the challenge course are safer than bowling. At the DOCJT's challenge course, there has been only one injury out of 7,000 hours of participation. This is something *Strange* and you may not think of this as being typical police training, but it could provide *Wonderful* training that is definitely different, and is certainly out of the box as traditional police training goes.

Mission Possible

PROBLEM: The group must transfer the explosive liquid and detonator from the 16 oz. can into the 64 oz. can, then move the 64 oz. can some 50 feet to a platform where it is then considered unarmed.

RULES: No person, or any part of their body, can enter the circle. No one can touch the 16 oz. can with their hands, and it cannot leave the circle. No one can touch the 64 oz. can with their hands, and the 64 oz. cannot enter the circle. The group is allowed to use any item that is part of the course i.e. wooden boards, limbs off trees, or anything they have on their person. A bag is given to the group that contains rope, carabineers, and assorted items. No one can leave the area to obtain any other items. If the group spills more than 1 oz. of the liquid or the detonator hits the ground, everyone involved is eliminated. Last, but not least, the liquid must be moved to the safe area in 90 minutes.

While this task may seem difficult, it's not impossible; none of the tasks are impossible, they just aren't easy. A recent Police Corps group completed it with a time of 1 hour and 35 minutes. No penalties or rewards were imposed and no liquid was spilled.

Shaw Earns KWLEN Award



Pam Shaw, holding her Contributions to Law Enforcement Award, poses with Kim Allen (left), former executive director of the Kentucky Criminal Justice Council, and Maj. Paula Bruce, 2002 president of the Kentucky Women's Law Enforcement Network.

*Jamie Neal
Public Information Officer*

Pam Shaw, an administrative specialist for the Kentucky Law Enforcement Council, received a Contributions to Law Enforcement Award from the Kentucky Women's Law Enforcement Network at a November 21 ceremony in Lexington.

Shaw was among 11 recipients of the Contributions to Law Enforcement Award.

A three-year member of KWLEN, Shaw was recognized for being instrumental in developing the official manual for Peace Officer Professional Standards, which is used by law enforcement agencies throughout the state. She was also commended for assisting applicants by providing them information about the physical agility portion of POPS and administering the POPS test.

She also was praised for her support of KWLEN, and for presenting a physical fitness program to high school and college students during the organization's conference. The awards banquet was held during the conference week.

The workshop Shaw offered, "Preparing for Your Career and the Kentucky Mandatory Fitness Standard," gave the students an opportunity to perform the mandatory fitness requirements for the POPS test.

During the conference, Shaw also conducted a two-hour workshop on physical fitness programs and other stress relief strategies for police.

Another DOCJT employee, Sharon Davis, an administrative specialist for Kentucky Police Corps at Richmond, offered an eight-hour Challenge Course during the conference.

Bailey Participates in Panel Discussion on Iraq

DOCJT Staff Report



Department of Criminal Justice Training Special Projects Coordinator Clay Bailey tells an audience at U.K.'s Patterson School for International Diplomacy that precision-guided bombs in Afghanistan last year weren't effective until U.S. troops were on the ground to describe exact targets.

Department of Criminal Justice Training Special Projects Coordinator Clay Bailey participated in a panel discussion on “The Military Aspects of a Possible War With Iraq” presented by the Patterson School for International Diplomacy at the University of Kentucky on December 9. Other participants were retired general officers including Gen. John Coburn, former Commander, Army Materiel Command; Major Gen. Russ Groves, former Kentucky Adjutant Gen. and Brigadier Gen. Jim Shane, Director, Governor’s Commission on Military Affairs.

Lt. Gen. Bailey retired, former Commander, Air Force Special Operations Command, addressed the role of special operations and airpower. Gen. Bailey said that should there be a war with Iraq, special operations forces would have a much more limited role than in Afghanistan. In that campaign, special operations were the key force in supporting the indigenous Afghan Northern Alliance against the Taliban and Al Qaeda primarily by directing and controlling U.S. airpower. In Iraq, the ground forces would be a U.S.-led coalition and air power would be controlled by other airmen assigned to conventional units.

Bailey noted that there have been significant improvements in airpower since the first Gulf War. These include the increased use of precision munitions and 12 years of combat experience gained enforcing no-fly zones since the end of the war.

Bailey joined DOCJT in September and is coordinating homeland security programs for the Kentucky law enforcement community.

F.Y.I.

JOE BOLDT



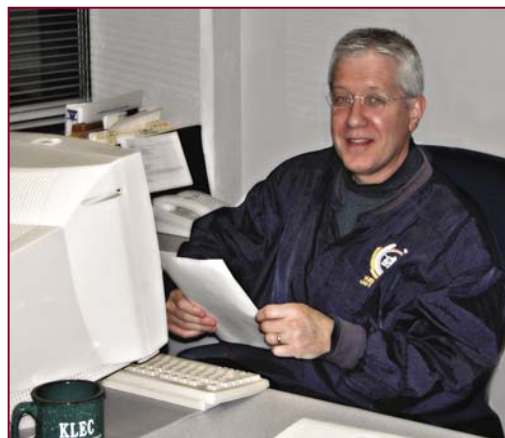
Joe Boldt joined the Department of Criminal Justice Training's Peace Officer Professional Standards office in 1998 as an administrative specialist. Before joining the DOCJT, Boldt was in private practice as a therapist/educator and was a monitor for KLEC instructors.

How has your work history reflected you as a person?

I hope that my career thus far has reflected my interest and desire to help others. My work has centered around that of a counselor and therapist with a specialty in treating addictions. I have worked in various settings including a military mental health clinic, a crisis center where I served as a therapist to the community and police, hospitals and finally in my own outpatient private practice.

What do you consider as special accomplishments?

The meaningful and special accomplishment on a career level was going through a five year process to obtain my certification to practice addictions therapy and that of managing a private practice for a number of years. On a more personal level, earning my wings and serving in the military with the 82nd Airborne was a special time for me.



ANNETTE HEDGES/DOCJT

What has been the most rewarding part of working in the POPS office?

It has been very rewarding to be with the office since its inception and to experience the refinement of the POPS processes that operationalized the POPS statutes. I have also enjoyed working with the POPS staff and learning of the many special talents within each person in the office. It truly is a blessing to work with so many good people.

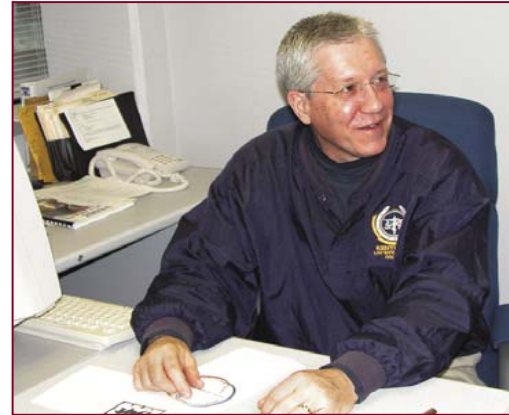
What advice would you give to people wanting to enter the law enforcement field?

Probably the same advice I would give anyone thinking about a career, which is to answer at least this one important question: "What do you really care about or what is your passion?" Once that question is answered, then that person should go out and work at what you really care about. Chances are you will be good at what it is you are passionate about and have an interest in. More specifically to those going into law enforcement, I would advise to have a wide range of friends, both in and out of law enforcement and to be sure to become involved and regularly attend a church that supports your faith.

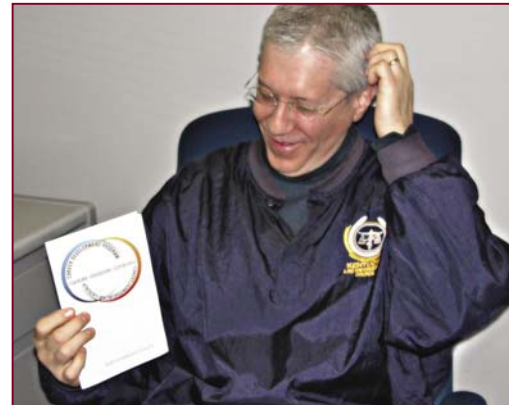


What are some ways that peace officers can improve their job skills and incorporate professionalism into their careers?

As we all know, for the past four years, Kentucky has had a certification process for peace officers. Within this there are standards and challenges to meet, which means that not just anyone can be a peace officer in Kentucky. These are special people who have risen above the norm and that, as certified officers, should now understand that they are truly professionals. But, we all know that we should be adding to our knowledge base as we go and to fulfill that requirement we have professional development courses. Beginning



in 2003 the Kentucky Law Enforcement Council will implement the Career Development Program (CDP) that will help peace officers and telecommunications earn professional certificates. This program encourages participants to take a variety of courses that teach technical, human and conceptual skills so that over the years the individual becomes a well-rounded professional. Certificates and uniform pins are awarded as the requirements are met. CDP is yet another way to take the ongoing training of law enforcement seriously and to distinguish oneself as a professional. The CDP is being phased in during 2003. For information on CDP call the KLEC office at (859) 622-6218.



F.Y.I.

Patty Davidson



Patty Davidson, a Berea College graduate, joined the Department of Criminal Justice Training in 1977, working in the Planning and Research office until 1985, when she started teaching in the Breath Test and DUI Detection Section. In 1990 she left the department to work for Toyota's promotional training and then served as a liaison and supervisor for their temporary workers. From 1991 through 1998 Davidson was a project manager for a teachers' program that was funded by Ashland Oil, Inc. In 1999 she returned to the DOCJT as an instructor in the Breath Test Section.

Special Accomplishments and Projects:

- Coordinated the first two comprehensive surveys of police departments while working in the Planning and Research Section.
- Assisted with a DUI project involving drinking and driving participants on enclosed driving track for levels of driving impairment reference.
- Researched and developed Coroner's Field Handbook for DOCJT.
- Designed 2002 Kentucky Law Enforcement Memorial Foundation Christmas card, with proceeds benefiting the fund.

What is the most significant change you have seen in law enforcement training during your career?

The employment requirements and training standards for new recruits have completely changed the field of law enforcement. I have watched over the years as new recruits come into law enforcement with higher initial expectations and personal standards, as well as overall higher education levels.

Technology advancements in practical applications have also changed the day-to-day operations of peace officers.

What is the most rewarding part of working in DUI Enforcement?

In an indirect way through training, the prevention of deaths/injuries due to DUI offenders. It is impossible to know to what extent DUI detection skills training for police officers affect traffic injury and fatality statistics. However, it is always encouraging when a student comments the specific skills learned in class were utilized to detect impaired drivers, especially those close to per se levels who might otherwise have gone unnoticed.

Properly gathering all DUI evidence and testifying in court are essential skills for officers.



Who has been the most positive influence to you during your career and how?

No one particular person. Fellow instructors at DOCJT have always been encouraging to me throughout the years. Other indirect influences were Dr. Robert Borkenstein (inventor of the Breathalyzer and pioneer in the work of traffic safety) and Candy Lightner (founder of Mothers against Drunk Drivers) who both brought drunk driving to the forefront as a major problem in this country.

What advice would you give to people wanting to enter the law enforcement field?

Be prepared to constantly be upgrading standards and learning new information. In an ever-changing field, it is essential to stay on top of the advancements and work-related technology.

Where do you think law enforcement training is headed?

More streamlined, professional and consistent training will be the key to training in the future.

What is the most significant change you have seen in the Department of Criminal Justice Training's operations during your career?

The extreme amount of growth, both in number of employees and the new facilities, has changed the face of

our training. The quality of knowledge, experience and resource provided by these employees creates a diverse and knowledgeable staff.

How has technology changed law enforcement, specifically DUI Enforcement?

I began training at DOCJT in the mid 80's, when the Kentucky Breath Testing Certification Program was utilizing the Breathalyzer 900 and 900A instruments (1954 technology) in training. This testing method was, and still is, very accurate. It did, however, require a lot of time and manual operation procedures on the part of the officer.

During the transition in the late 1980s to infrared devices, we taught both methods of testing during one 40-hour course. The first infrared instrument used in Kentucky was the Smith and Wesson Breathalyzer Model 2000. Afterwards, the Intoxilyzer Model 5000 was implemented and has been the evidentiary instrument for breath testing in Kentucky for the past 12 years. It's computerized technology and record keeping capabilities have made the field of evidentiary testing much more manageable and efficient.

Hopefully, the 2000 Kentucky DUI law, which changed the per se level to .080, will make a long term difference in overall deterrence of impaired driving.

Comings and Goings

New Employees

Dean Barnhart joined the Professional Development Branch, Incident Command Tactical Response Section as a Training Development Specialist on 11/1/2002. Dean is retired from the United States Army.

Mark Cool was appointed as an Investigator III in the Compliance Section on 11/1/2002. Mark is retired from Kentucky State Police.

Thomas Fitzgerald is the new Staff Attorney III in the Legal Section of the Professional Development Branch. Tom came to the DOCJT from the University of Louisville on 10/16/2002.

Barney Kinman began work as an Investigator III in the Compliance Section on 10/1/2002. Barney is retired from the Lexington-Fayette Urban County Division of Police.

Jennifer Wilburn started work at DOCJT as an Administrative Specialist II on 10/16/2002. Jennifer works in the Evaluation Section of the Basic Training Branch.

Promotions

Pat Doyle to Administrative Specialist III on 10/01/2002.

Lewis Nugent to Law Enforcement Training Instructor II on 10/16/2002.

Denna Brockman to Administrative Specialist III on 11/16/2002.

Andrea Brown to Administrative Assistant on 12/01/2002.

Helen Koger to Administrative Specialist III on 12/01/2002.

Melissa Beck to Administrative Specialist III on 12/16/2002.

James Brown to Law Enforcement Training Section Supervisor on 01/01/2003.

Wanda Mason to Program Coordinator on 01/01/2003.

Jane Sexton to Program Coordinator on 01/01/2003.

Kim Spires to Program Coordinator on 01/01/2003.

Robin Whitaker to Program Coordinator on 01/01/2003.

Yvonne Williams to Administrative Specialist III on 01/01/03.

Goings

Matt Blanton left his position as Network Analyst II on 11/15/2002 to accept a position at Morehead State University.

Michael Browning, Principal Assistant II, resigned effective 11/30/2002 to pursue private business interests.

Casey Coffman resigned her position as Print Equipment Operator effective 10/01/2002.

Rob Elliott resigned on 11/30/2002 to accept a position with the Department of Transportation.

Tom Folsom left his Law Enforcement Training Instructor I position on 12/31/2002.

Tom is now employed by the Grant County Sheriff's Office.

Gerald Howard resigned as Law Enforcement Training Instructor I on 12/20/2002 to begin working in the office of U. S. Attorney for the Western District of Kentucky.

Larry Wesley, Investigator III, resigned on 1/15/2003 to accept a position with the Pulaski County Sheriff's Office.



Calendar

– March –

March 7: DOCJT, Basic #323 graduation
March 10: KPOA, 6 – 10 p.m., KPOA Meeting, Networking/hospitality, The Springs Inn, Lexington
March 11: KPOA, 11 a.m. – noon, KPOA Board Meeting, The Springs Inn, Lexington
March 14: DOCJT, CJED graduation
March 28: DOCJT, Basic #324 graduation

– April –

April 4: DOCJT, Telecommunications Academy graduation
April 25: DOCJT, Basic #325 graduation

– May –

May 1: KPOA, Deadline for scholarship applications, nominations for Peace Officer of the Year and nominations for Patron of the Year
May 7-8: KLEC meeting
May 12: DOCJT, 1 p.m., Law Enforcement Memorial Ceremony
May 12: KPOA, 6:30 p.m. annual Scholarship Fund Auction, American Legion, Hardin Post #113 Hall, 2007 N. Dixie Highway, Elizabethtown
May 13: KPOA, board meeting, Elizabethtown. Details available later
May 16: DOCJT, Basic #326 graduation
May 23: DOCJT, Telecommunications Academy graduation

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Contact KLEN

Mail dates for the Kentucky Law Enforcement News for the remainder of 2003 are:

May 30
August 29
November 28

If you wish to announce an event, job vacancy or submit an article to the magazine, please submit the information to:

KLEN News
Department of Criminal Justice Training
Funderburk Building
521 Lancaster Avenue
Richmond, KY 40475-3102

or send an E-mail to: klenn@docjt.jus.state.ky.us

Command Decisions Evolves to



A roomful of Command Decisions attendees at the Louisville session watch a video featuring Bowling Green Police Chief Bill Waltrip and others discussing the importance of the DOCJT telecommunications academy. The video was presented during the session's DOCJT update.

Jamie Neal
Public Information Officer

Law enforcement leaders: Learn more about current issues in your field and network with your counterparts from across Kentucky while spending a week away from the office at one of the states resort parks.

For more than three decades, police chiefs – and later sheriffs – and some of their highest ranking staff have accepted that offer and attended Command Decisions, an executive-level training course the Kentucky Department of Criminal Justice Training offers each autumn.

The course's primary mission – to educate the state's law enforcement executives – is the same today as it was at the first Command Decisions in 1971. But many other aspects of the program have experienced significant changes during its 32 years.

Command Decisions courses have "evolved in degrees of sophistication and learning," and the program has certainly grown in its audience, blossoming to 12 times its original size, said DOCJT's Doug Czor, who has coordinated Command Decisions for the past 11 years and been involved with it off and on since 1981.

In later years, increasing enrollment, including that of sheriffs at the end of the 1990s, would lead the department to add sessions and experiment with holding the course at different regions in the state to accommodate students.

Birth of Command Decisions

Command Decisions originated with Robert C. Stone, who was director the Kentucky Peace Officers Standards and Training Council (now the DOCJT), said Robert C. McKinney. McKinney and six other staff members of the council, at Stone's request, developed a new curriculum for the second Command Decisions class in 1972 and oversaw the program.

"We decided that there should be a training session for the chiefs,"

said McKinney, who later was DOCJT commissioner from 1988 to 1991. "You just don't train chiefs to go out and patrol the streets, because that's not what they do. But then, some departments are small and the chiefs do that too. We started trying to develop a curriculum, training concepts, so they would be applicable to different cities and chiefs. That was quite a task."

At the start of Command Decisions, the classes concentrated on budgeting, personnel laws and general management, McKinney said, noting that most chiefs weren't as trained as those today.

"We had to start out with an audience who had never heard these things before," McKinney said, excluding some chiefs from larger departments like those in Lexington and Louisville.

"What we were really trying to do was bring Kentucky up to speed with the rest of the country," he said.

Coordinators for the classes would get ideas about what the executives needed to learn through regional training meetings held with chiefs each year, said Charles R. Sayre, who was DOCJT commissioner from 1992 to 1996.

But as law enforcement leaders have become more professional through learning those necessary skills outside of Command Decisions, the course's focus has also evolved, Czor said. Today, Command Decisions is for those who already have the essentials down, he said.

"What drives this class today is more contemporary issues as well as vision and leadership issues," he said. "Now it's about more than supervision and management."

Topics are selected based on state and national issues related to law enforcement, and through talking with law enforcement leaders about the knowledge they need to do their jobs, Czor said.

"In 1992 or '93, community-oriented policing was the thing, but

Classes to Meet Training Needs

now we no longer do that because that's part of the system," Czor said, offering an example of how the classes all kept current.

Mount Sterling Police Chief Michael Schnell has seen the change in Command Decisions courses.

"Initially, the subject matter was like officer survival and community-oriented policing," he said. "In the '90s it was talking about computers in the workplace. That was the thing then. Then it was drugs and community-oriented policing, and now it's terrorism and things we didn't even consider three years ago. It focuses on what's timely."

At Command Decisions 2002, a total of 300 chiefs, sheriffs, their top executives and officials from a variety of other law enforcement agencies, like the Kentucky State Police, came out for classes about terrorism in America. The four sessions, held at three locations during four separate weeks, included presentations about agricultural bio-terrorism, the USA Patriot Act and updates from federal agencies, including the Immigration and Naturalization Service, the FBI and the Secret Service.

Class Attendance Started Small

In contrast, the audience at the initial, single session of Command Decisions in 1971 was 25 police chiefs who traveled to Lake Cumberland for the five days, or 40 hours, of training completely taught by staff of the agency now called the DOCJT.

"We knew there was going to be some resistance from the chiefs about going to school, and if they did go, they wanted to take something easy," McKinney said. "It wasn't that the chiefs were turned off to learning. This was just something new. That was a threat."

But by 1975 more chiefs were flocking to Command Decisions, with 75 of them attending the course that year at Barren River State Resort Park in western Kentucky. At Command Decisions X in 1980, 100 police chiefs and their top-ranking officers stayed at Barren River for the week of training.

"It got to a point where everyone looked forward to Command Decisions," McKinney said. "Eventually their enthusiasm went up because they were learning. Their prestige went up. Once they realized we were here to help them, not hurt them, they were calling up and asking 'When's Command Decisions?'"

Around that time, Command Decisions coordinators began commissioning speakers from outside the agency to teach some of the courses.

"You had a training need and this person would be the expert," Czor said of having guest instructors, who are now sought to teach most Command Decisions classes.

Pikeville Police Chief James Justice said a guest instructor who stands out in his mind is Det. Phil Vannatter, an investigator in the O.J. Simpson case who, in 1997, talked to Command Decisions attendees about reconstructing the Nicole Brown and Ron Goldman murders.

"They've had people who are outstanding in their field come in and talk," Justice said. "They've been there, experienced that. To

me, that really makes it interesting."

By 1986, Command Decisions popular enough for DOCJT to hold two sessions a year.

Park Sites Benefit Students, State

Outside of Richmond, Command Decisions has always been held at a state park, Czor said.

Other than Lake Cumberland, those parks included Natural Bridge, Kentucky Dam Village and Rough River Dam. But by the 1990s, Barren River had become the standard site for Command Decisions.

"It was centrally located enough that it was not too bad a drive for anyone," former Commissioner Sayre said.

Barren River also provides enough lodging for the chiefs, sheriffs and others who attend the training, Czor said.

Holding the classes at state parks has benefited the state as well as the students, he said.

"The guys loved it because they could go boating, they could go fishing," Czor said. "The park liked it because the chiefs were spending money."

McKinney agreed. "It put money back in the state budget, which we thought was appropriate," he said.

The parks also usually had large enough conference rooms for the classes and afforded the law enforcement leaders a pleasant environment in which to learn, McKinney said.

"We wanted to get them to an area where they would be laid back, not have a lot on their minds, could concentrate on what we were teaching them and have a chance to communicate with each other," he said.

"It got to a point where everyone looked forward to Command Decisions," former commissioner Robert C. McKinney said. "Eventually their enthusiasm went up because they were learning. Their prestige went up. Once they realized we were here to help them, not hurt them, they were calling up and asking 'When's Command Decisions?'"

Elsmere Police Chief Timothy Greene said DOCJT has found that atmosphere at Barren River.

"It's a beautiful place," said Greene who said he enjoys taking nature walks during his spare time at Command Decisions. "I think surroundings mean a lot when it comes time to learn."

Audience Begins to Change

Meanwhile, Command Decisions underwent more changes in the 1990s.

In 1992, coordinators added a DOCJT update, which originally focused on the type of classes the agency would offer in the coming year. Now the update includes comments from the commissioner and DOCJT leaders about what's going on at the agency with training and other matters, the upcoming session of the Kentucky General Assembly and legislation that could affect law enforcement.

"That gives us a clue as to how we can help influence some of these bills in what's good for law enforcement," Pikeville's Chief Justice said.

Command Decisions Evolves to 1

A year or so after the DOCJT update was added the agency began requiring Command Decisions participants to complete a group or individual project, and in 1998, the 40-hour course held during five days became 32 hours, or four days. That alteration came about when the eight hours of mandatory training usually presented to chiefs and others at Command Decisions was put on videotape so they could watch it at their agencies.

By 2000, chiefs and their highest-ranking officers had more company at Command Decisions from sheriffs and their chief deputies.

That can likely be attributed to the Peace Officer Professional Standards that the General Assembly passed in 1998, which requires all law enforcement recruits, including deputies, to attend 16 weeks of basic training at DOCJT and complete 40 hours of professional development training annually.

"It's a diverse group," said DOCJT's Doug Czor "You'll have a chief from Lexington or Louisville and then one from a one-man police department."

"We would have an isolated sheriff or two come, but they didn't come in numbers until POPS," Czor said of sheriffs' attendance at Command Decisions.

In 1997, prior to POPS, a total of about six sheriffs and deputy sheriffs attended Command Decisions, while about 35 came out for 2000's session.

Sheriffs, as constitutional officers, are not required by POPS to take the training, but many of them seemed encouraged to do so after the law was passed, Czor said.

"I think they looked at the possibility of training, where they weren't before," he said.

The sheriffs likely heard it was a valuable training course and networking opportunity, he said.

Command Decisions got a third session in 2000 to accommodate its growing audience. Two sessions were held at Barren River and another at Richmond, each during a separate week.

Attendance that year was about 275 people, 250 more than that at the inaugural Command Decisions.

"That shows you the interest in it, the need for it," London Police Chief Elijah Hollon said.

At the most recent Command Decisions, in 2002, DOCJT held four sessions at three different locations during four separate weeks: Barren River twice in late October, Jenny Wiley State Resort Park (in eastern Kentucky) during the first week in November and at The Galt House in Louisville in December.

"Probably about 50 percent of chiefs and sheriff's departments have people who attend Command Decisions now," Czor said.

"It's a diverse group," said DOCJT's Doug Czor "You'll have a chief from Lexington or Louisville and then one from a one-man police department."

Other law enforcement officials also come out for Command Decisions, including executives from the Kentucky State Police, the U.S. Marshals Service, the Special Investigations Division of the Kentucky Attorney General's Office, Kentucky Alcoholic Beverage Control, Kentucky Vehicle Enforcement, the state Department of Insurance's Fraud Investigation Division and the state's Public Protection and Regulation Cabinet.

Things Change, Stay the Same

While the classes those executives attend are different than those of their predecessors, several key elements of the Command Decisions program remain the same.

Most past classes, as is the case today, were developed around a theme, such as in 1980, when course topics centered on developing policies and procedures. Courses included Developing Policies and Procedures for Answering Disturbance Calls, and Developing Policies and Procedures for Ambush Attacks.

Classes, like those today, also included group and/or hands-on activities, for which the students were sometimes grouped by the size of their departments for a couple of hours and then reconvened to discuss how they had solved problems.

"They would see that big departments and small departments have some of the same problems," McKinney said.

Early courses also included legal updates and comprehensive tests like those at modern Command Decisions. However, exam administrators now don't need to offer the special arrangements that some chiefs required in the 1970s courses, McKinney said.

"In 1972, a lot of officers couldn't read or write, including some chiefs," he said, estimating that about 15 police chiefs in Kentucky were illiterate during that time.

Chiefs who requested it were administered their comprehensive test orally, McKinney said.

But law enforcement executives who attend Command Decisions have changed in ways other than many of them being more educated than those who came before them.

"I guess when we first started, folks weren't taking training real seriously, to where now everyone takes it quite seriously," Czor said. "I have seen a more professional type officer attending Command Decisions, more sophisticated, more knowledgeable."

Elsmere's Chief Greene, who has been attending Command Decisions for at least seven years, said he also has noticed a transformation in the way some attendees treat the course.

"It used to be a big party time for a lot of guys, but you see a lot more of the educational part coming through now," he said. "I think everybody is taking it a lot more serious now. I think the chiefs have changed. I think they're trying to set an example. We're bringing our command staff with us. We're bringing our lieutenants and sergeants with us."

to Meet Training Needs *Continued...*



Lt. Jerry Provence, homeland security coordinator for the Kentucky State Police, talks to a 2002 Command Decisions class about terrorism.

Class Offers Networking Opportunity

Many police and sheriff's departments do have assistant chiefs and chief deputies who attend Command Decisions with their higher-ups, exposing them to executive-level training and law enforcement leaders, allowing them a chance to network.

"Just as I've had an opportunity to build a network in law enforcement at Command Decisions, it will help Ed to start building his network now," Chief William Dorsey of Kenton County said of his assistant chief, Ed Butler, who will attend the course in 2003 for the first time.

Chiefs, sheriffs and others who have spent time at Command Decisions say that their favorite part of the program is getting to talk and share ideas with others from around the state.

"You learn as much outside the class as in," London's Chief Hollon said.

Mt. Sterling's Chief Schnell said he also enjoys the opportunity to network at Command Decisions.

"You could pick up the phone and call anyway, but it's a whole lot better if you can talk about it at dinner or on the way to a movie," he said. "That's when a lot of stuff is exchanged."

John Schickel, U.S. marshal for the Eastern District of Kentucky, took the course for the first time in 2002.

"What I enjoyed about Command Decisions was the chance to network with colleagues in local law enforcement in Kentucky," he said. "The classes were beneficial, of course, with the emphasis on terrorism."

Schickel suggested that the program coordinators emphasize more leadership training at future courses, which he plans to attend.

Pikeville's Chief Justice said he would like to learn more about what's going on in the areas of exploited and missing children and with DUI enforcement.

Capt. Larry Nixon of Murray State University Public Safety said the four-day long Command Decisions course affords him time to talk with law enforcement leaders from other universities. Working on a campus isn't traditional policing; it's purely community-oriented, so it's important to talk with others in that same field, he said.

Nixon also said he values the fact that those who attend the sessions can speak to DOCJT staff about concerns, while in an informal setting.

"Not only do chiefs and administrative folks get to benefit from talking to their peers, but also to folks from DOCJT, which is just as important," he said.

The DOCJT update at the most recent session, which he attended at Barren River, was especially informative, Nixon said.

Schnell said it's important that the environment at Command Decisions is conducive to learning.

"It gets you away from mayors, county judges and telephones," he said. "It's important to be able to get away from phones and pagers and be able to concentrate on what's going on."

Chief Ted Evans of Frankfort said the atmosphere at the training course is part of the draw for him.

"I think that's very conducive," he said. "That's why I keep going back to Barren River, to get out of the office. People are more relaxed, genuine. They don't have to put on a face."

Kenton County's Dorsey said he comes away from Command Decisions feeling like he got something out of it.

"The things that you learn there you can immediately take back to your agency and apply them," he said. "I think that's important for the training we get."

Dorsey said he would like to see more small group activities with a facilitator as part of the program.

Elizabethtown Chief Ruben Gardner said he looks forward to Command Decisions because "it is so diversified in its training approach."

"I think what makes Command Decisions so great is that the curriculum changes every year," he said.

"It keeps us current with changing times and what other agencies are doing that's working," Gardner said. "I feel we get the latest information on programs being introduced at agencies across the country."

Pikeville's Chief Justice said he has high hopes for continued success of the 32-year-old Command Decisions.

"I think that in the future they'll continue to evolve into one of the best for law enforcement executives in the country."

Unfortunately a Record Number of Fatalities on Kentucky Roads for 2002

Primary Seatbelt Law Needed

*Ishmon F. Burkes, Secretary
Kentucky Justice Cabinet*



Last July I submitted an article to newspapers around the state indicating that fatalities for the first five months of 2002 were the highest number Kentucky had experienced within the same period for the preceding five years. At that time, given the current rate, the projection was for the total number of fatalities in 2002 to exceed 900.

Unfortunately that projection came true — 911 people died in motor vehicle crashes last year; 477 were not wearing seatbelts. That's 61 more deaths than in 2001. For all of us in law enforcement, this frightening trend continues to be a top priority, especially as we allocate our limited resources — time, money and manpower.

First and foremost, I want to thank each local agency and all law enforcement officials who worked closely with the Kentucky State Police throughout 2002. In light of the total number of fatalities, our work through stepped up patrols and checkpoints during holiday periods, along with initiatives such as Buckle Up Kentucky and You Drink & Drive ... You Lose, must continue. Your efforts have a direct impact on reducing

collisions and fatalities in Kentucky.

However, the state police and your local law enforcement agencies need help — help in the form of a primary seatbelt law.

The facts show that using seatbelts saves lives. In Kentucky, the simple action of buckling up could save 75 more lives annually. On average, states that enacted primary seatbelt laws saw usage increase by 15 percent. For Kentucky, now ranked 40th at 62 percent for seatbelt use, this increase would put us at 77 percent, raising our usage rate above the national average of 75 percent.

I urge all of you in law enforcement to educate the people in your communities about the effectiveness of seatbelts. And I encourage you to talk with your legislators. Let them know you support a primary seatbelt law. It's a simple action that makes a big impact on making Kentuckians and their loved ones safer.

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Allocating resources efficiently and effectively — that's every agency's top priority.

ECRASH allows law enforcement agencies to access accurate and timely data. With 1,263 data fields, reports can be as minimal or as detailed as necessary to pinpoint causative factors in traffic collisions.

With ECRASH an agency can generate maps, compare holiday time periods, illustrate quarterly accident reports and identify human, vehicular or environmental factors.

Contact Sgt. John Carrico, Assistant Commander, Kentucky State Police Records Branch, for more information on accessing and using ECRASH. Call him at (502) 227-8719 or email at johnr.carrico@mail.state.ky.us

Police Corps Visits Mexico

Jacinta Feldman Manning
Public Information Officer

Jason Reed sat at a table eating the afternoon meal with the Vaca family. Only he and his classmate, Nicolai Jilek, spoke any English. The conversation lumbered along in Spanish, until they hit a bump.

They were trying to explain what their plans were for the night.

"What's 'to go?'" Reed asked.

"It," Jilek answered.

They quickly discussed how to conjugate the word to make sure they got their message across, and soon were able to carry on the conversation again.

Reed and Jilek are graduates of the Kentucky Police Corps program. For two weeks in November, they, along with the 22 other



DOCJT instructor Rick Schad tells Police Corps recruits about Morelia's Aqueducts.

Police Corps is a federally funded law enforcement training program that offers recruits a four-year college scholarship worth up to \$30,000. In return, the recruits agree to four years of service with a Kentucky law enforcement agency.

Police Corps' recruits complete a 24-week basic training course with more than 1,290 hours of instruction – nearly twice as many hours as standard basic training. The courses studied in basic training are enhanced and new areas are added to the curriculum, such as the Spanish immersion program.

The mission of the immersion program is to help the new officers better understand Kentucky's increasing Hispanic population, and to prepare them to work with this new portion of the community.

"There's a lot of Mexicans in Lexington," said Joshua Cromer, a Lexington police officer and Police Corps graduate. "It's important for us to know where they come from, their culture, how they view the police and how to effectively interact with them."

The idea is simple: Maneuvering through everyday conversations in Mexico translates into the recruits being able to communicate better with the Hispanic people they come into contact with as peace officers.

The recruits studied an intensive Spanish language and Mexican culture course that included 85 hours of formal Spanish language training while they were in the academy, but the crown jewel of the program is the two-week trip to Mexico, where the recruits must put to use what they learned in the classroom.

Police Corps recruits, lived with families in Morelia, Michoacan, in Mexico as part of the Police Corps' Spanish immersion program.

"I'm seeing a dramatic improvement," Jilek said of his Spanish. "It's slowly getting easier."

"The classroom Spanish received prior to traveling to Morelia, Mexico, provides each cadet with a foundation of language skill on which to build," said Don Pendleton, director of the Kentucky Police Corps program. "Utilization and enhancement of that skill is realized when cadets must interact with people in Spanish to effectively function each day."

But improving language skills is only a part of what the recruits are there for, Pendleton said. They are also there to experience Mexican culture and gain a better understanding and respect for the people.

The program steps beyond conventional teaching of telling students about the culture, and brings them there to see it firsthand and actually experience it for themselves.

Morelia, a town of about one million people, is the perfect backdrop against which to learn about the Mexican culture. It is a modern city with traces of the old world, and a perfect illustration of how wealth and poverty exist side by side in the country.

Gabriel Mendoza, subsecretario of Michoacan, said the country has a "knowledge of the 21st century with a reality of the 17th century."

Mexico is a country of hard workers, rich tradition and history, but it also has a lot of troubles as well, he said. He called it "the culture of the magical spectrum," and said the recruits must see it to understand it.

"We have been neighbors in ancient times, we are going to be neighbors in the future and we have to have a positive relationship," he said.

Mendoza praised the Kentucky Police Corps program for bringing the recruits to Mexico. He said that it is a step that can help change the stereotype that all Mexicans who are living in America are criminals.

"This program and this cooperation is vital so we can push and help and change the idea of the Mexican, the Michoacan people, in the United States," he said.

Lucia Villanueva was the Police Corps Spanish teacher. She is a Michoacan native who came to Kentucky for five months to teach. She said the students



Mike Morgan, an officer for Wilmore Police Department, looks at copper items Santa Clara del Cobre.

Statewide LENO News In the Spotlight

STATEWIDE

learned more Spanish during the two weeks they spent in Mexico than they did in the five months they spent in her classroom. In Kentucky, she taught them the basics of the language. She said it was necessary for them to have, but that they only met twice a week and the gaps of time between the classes made it difficult for the students to learn.

But by the third day in Mexico, Villanueva said that students had already told her they felt more comfortable speaking the language.

"Living with the families is very important and hearing Spanish



Timothy Upchurch and Josh Cromer, both officers with Lexington Police Department, posed with natives.

every day," Villanueva said. "They have to survive with Spanish here."

From the minute the recruits stepped off the plane in Mexico, they began using their Spanish skills. Everything from asking for

directions to buying a snack had to be said in a language that was not their own, turning everyday conversations into lessons in conjugation and vocabulary.

Just a few nights into their trip, Sharp took a taxicab and talked to the driver for 15 minutes without using any English.

"I couldn't have done that two weeks ago," he said.

The whole city became their classroom. The recruits walked alongside Morelia's 254-arch aqueduct, and learned about the beautiful fountains and ornate churches that dot the city.

Just walking around Morelia exposed the recruits to an entirely different world than they left behind in Kentucky.

"They don't have these in Hazard, sir," Isaac Whitaker said to Basic Training Branch Manager Fran Root, tilting his head back and looking at the towering spires of the cathedral that stands in the middle of the city.

The recruits also visited a training academy for Mexican police officers during their stay. Fernando Sanchez, a Mexican officer who went through the Kentucky Police Corps program last year, met the recruits there. He said he thinks the immersion program is important for officers, not only to prevent stereotyping all Mexicans in Kentucky, but to also help prevent quick judgment of peace officers by the Hispanic people they come into contact with.

"I think it is very important since you might run into a Hispanic guy in Lexington, and if you have an idea of how they live and the country they are from you can prevent what they think about you as an officer," Sanchez said.

The recruits learned about how different the idea of law enforcement and justice is in America and Mexico. They visited the Albergue, a completely self-sustaining juvenile detention center in Michoacan. Juveniles who commit crimes are sentenced to live in the center, not as a form of punishment, but as a way to rehabilitate their lives.

They visited towns like Santa Clara del Cobre and Patzcuaro, and learned about families that, from generation to generation, pass down trades, like working with copper. These people sell their little works of art for a few pesos. It gave the recruits an idea why so many of the Mexican people leave their homeland and come to America looking for work.

The recruits did not just see the rich history, but were also exposed to the massive poverty of the country, where broken glass cemented onto the tops of walls serves as makeshift home security for the country's poor.

"They have a different impression of what Mexico and Mexicans are," Villanueva said. "That's very important for them to see the culture and the Mexican people."

Through the interaction with their host families, the recruits were able to see all aspects of Mexican culture.

Mike Morgan, a Police Corps graduate who is now an officer with the Wilmore Police Department, was invited to a birthday party by his host family. He was the only English-speaking person there.

"It was a neat opportunity to see the culture in a very festive atmosphere," he said. "I had a blast."

Morgan said that the trip really helped him learn more Spanish and improve the skills he already had. People would have to sometimes explain things to him, Morgan said, but eventually he caught on.

"It's a better way for me to learn the language," he said.

Heather Catt, the class's only female officer, has spent time in Puerto Rico, Brazil and New Zealand. She said the Spanish immer-

"I don't think you can learn it unless you're down here hearing it on a daily basis because it forces you to listen more carefully," said Matthew Sharp, a Lexington police Officer.

sion portion of the Police Corps curriculum was one of the biggest reasons she wanted to go through the program.

"That was probably the number one reason besides wanting to get a job and the money," said Catt, an officer with the Lexington Police Department.

She said that learning about other cultures makes a person more aware of their own culture.

The recruits are not the only ones benefiting from the relationship; the host families say they are gaining something as well. Through an interpreter, Maricruz Figueroa, who opened her home

Spanish Speaking Officers

Have Been Well Received in Communities

Jacinta Feldman Manning
Public Information Officer

to John Bardin and Matthew Sharp, said that her family had gained from having Americans there. Her two children are studying English as a second language in school, and she wanted the children to have an interaction with the Americans. The students staying at her home helped her children with their English homework while they were there. She said her children are getting an education also.

The Vacas, who hosted Reed and Jilek, have opened their home several times over the last 15 years and welcomed students who were trying to better their Spanish.

They like to live with the Americans, and to get to know them, Emilio Vaca said through an interpreter. By opening up their home, they are giving the students an understanding of the Mexican way of life, of their families, their marriages and their children.

Moya said they have not had a problem with their students from Police Corps. He said they speak well, and they use a dictionary when they cannot understand each other.

He said he thinks it is an important program for police officers because there are a lot of Mexicans in Kentucky. He said this would help the officers understand where the Mexicans are coming from.

Rick Schad accompanied the recruits to Mexico and assisted with interpreting. He knows firsthand how beneficial speaking a second language is to a peace officer. Schad is a former officer with the Lexington Police Department and now teaches with the Department of Criminal Justice Training.

While he was working as an officer, he

Jason Reed, and officer with Florence Police Department, went through eats the noon meal with his host family. Lexington's Spanish Immersion Program, after which the Police Corps' program is modeled, and spent five weeks in Morelia.

"It gave me the opportunity to interact with the Hispanic community and provide police services to them in the same manner as we are providing them to the rest of the community," Schad said. "We overcame the language barrier."

The recruits were overcoming the language barrier just by sitting at tables, like the Vacas, and talking over dinner.

"I'm proud of the fact that Kentucky's taken the step it has," Jilek said. "I think it's pretty proactive. I think it's much better to do this now as the population grows instead of trying to take care of it when the population's so large that it's a problem."



The first group of Kentucky Police Corps graduates has been on the beat for more than a year now, and response from chiefs and sheriffs have been muy bien.

"We have received information from numerous officers and departments that indicates that the ability to effectively communicate has played a vital role in the resolution of problems and issues with the Spanish segments of their communities," said Don Pendleton, director of Kentucky Police Corps program.

The Kentucky Police Corps graduated its first full class in November 2001, sending 25 college-educated, Spanish speaking officers to 14 departments across the state. That group was the first to go through the Spanish immersion program.

"There's no doubt that it's an asset to us," said Mt. Sterling Police Chief Michael Schnell. Mt. Sterling has two 2001 Police Corps graduates: Paul McClanahan and Aaron Shaffer.

"Paul McClanahan is the closest thing to fluent that I've ever run across," Schnell said. Shaffer understands and can say key phrases in Spanish, "which puts him ahead of all of us," he said.

Schnell said that Montgomery County has a large immigrant population because of its many farms. He said there are several minorities in his jurisdiction, but Spanish is usually their language of choice.

"If you know that, you've got a leg up," he said.

Fran Root, the previous director of Kentucky's Police Corps, created the program's Spanish Immersion program.

"It was a natural progression for what Police Corps is all about," he said. "To do more enhanced training and to get the officers more in tune with the community they are serving."

Root said as the Hispanic population in Kentucky continues to grow, law enforcement officers must gain an appreciation of that culture. And the best way to gain that appreciation is to see and experience it first hand.

"The differences are just so immense," Root said. "You really can't gain an appreciation by just reading about it, or talking about it."

Although Kentucky's Police Corps' program isn't the only one of its kind, it is unique among the other Police Corps programs across the nation.

Robbie Maxwell, the former national director of Police Corps, said Kentucky's program is "heads and shoulders" above the other Police Corps programs in the country, and attributed much of that opinion to the Spanish immersion portion of the curriculum.

But he wasn't always such a fan.

Maxwell originally said no when Root proposed the Spanish immersion portion of Kentucky's program. He told Root there was an easier, cheaper way to teach recruits about the Mexican culture. But Root convinced Maxwell to look at the program one more time. This time, Maxwell said, what he saw was "cutting edge law enforcement training."

"I think it's well worth the money," Maxwell said. "It goes beyond a class on the Spanish language."

Baseline Data from Racial Profiling Study Released

Justice Cabinet Report

First-year results from a racial profiling data analysis were presented November 12 at the Kentucky Criminal Justice Council meeting in Frankfort. The racial profiling project, initiated in response to an executive order issued by Governor Paul Patton on April 21, 2000, included data collected on more than 310,000 vehicle stops during 2001.

"This report is only a preliminary analysis of vehicle stop information. It is baseline information that has been developed for use as a management tool," stated Dr. Deborah Wilson, chairwoman, University of Louisville Department of Justice Administration and lead researcher. "The report may suggest characteristics of vehicle stops that require further review and, especially, the collection of additional qualitative information. It is not meant as information from which to draw conclusions concerning the presence or absence of racial profiling," she added.

"We understand the importance of providing non-biased policing to the citizens of Kentucky," said Ishmon F. Burks, secretary of the Kentucky Justice Cabinet. "With ever changing demographics in Kentucky, our need to identify trends — positive or negative — will be a key factor for our effectiveness as a law enforcement agency."

Data collected by the Kentucky State Police and more than 36 local law enforcement agencies that volunteered to participate in the project was analyzed as the first project of the Public University Research Consortium (PURC). The consortium was initiated through federal funding as a joint project of the Kentucky Criminal Justice Council and the University of Louisville to enlist the assistance and expertise of criminal justice and related program faculty from Kentucky's public universities for applied research purposes.

KENTUCKY CRIMINAL JUSTICE COUNCIL PUBLIC UNIVERSITY RESEARCH CONSORTIUM Racial Profiling Data Analysis Briefing

Racial Profiling Data Highlights:

- Of the stops recorded, 51 percent were completed by KSP; 29 percent by Motor Vehicle Enforcement; 15 percent by local police departments; 2 percent by county police departments; 1 percent by sheriffs; and 1 percent by university police.
- Of stops recorded, 78 percent were for a traffic violation; 19 percent were compliance stops; 2 percent were courtesy stops and 1 percent involved a complaint/criminal violation.
- The number of stops recorded by month remained relatively stable over the 12-month-period
- Findings comparing ethnicity of driver to the type of stop indicated some variation in the ethnic distribution of drivers stopped.
- Findings comparing ethnicity of driver by search by type of stop suggest some differences by ethnicity.
- Findings comparing ethnicity by search by length of stop indicated that minority drivers were detained longer, with Hispanics detained the greatest length of time when a search occurred.
- While it should be noted that the data is not a representative statewide sample, since it only includes state agencies and 36

local departments, there were no red flags identified in stops pertaining to race of the driver with two exceptions: (1) longer stops were recorded for Hispanic drivers and (2) the representation of Hispanic drivers in the study was higher than the statewide population estimates.

- The reason for the increased length of stop for Hispanic drivers may be related to a number of factors including language barriers; need to address immigration issues; and the number of passengers in the vehicle. As a result of the findings, the data collection form is being revised to note out-of-state license plates (an attempt to identify transient populations) and to create a demographic category for Middle Eastern drivers (since it is possible that these individuals may have been classified as Hispanic in the absence of a specific category).

Study Recommendations:

- Continue with integrated approach through policies, discipline, accountability and training.
- Continue data collection and annual analysis as a means of monitoring and imposing accountability; a management tool.
- Consider expanding efforts to include community education programs, inclusion of qualitative information in the database using focus groups/consumer surveys, and including of qualitative information on police reaction to the process.
- Revise data collection form to incorporate additional information (driver age, reasons for search, residence of driver and reasons for stop).
- Develop means to access and improve citizen complaint processes.
- Ensure that bias-free policing is a theme throughout all phases of police basic and in-service training.

Lessons Learned from Racial Profiling Research:

- Studies do not produce definitive data and findings frequently lead to additional research that can be costly while providing limited benefits.
- It is easy to make unwarranted and unjustified generalizations from the research that will be readily challenged by constituency groups.
- Using aggregate data, it is not possible to identify individual officers who are racially profiling. Aggregate data can only detect extensive institutionalized practices.

Proposed Utilization of the Findings:

- The racial profiling data analysis can be used to establish a baseline for future assessment of potential changes in police behaviors.
- It can be used as a management tool for great accountability.
- It provides a means of monitoring police behaviors.
- The data collection process in and of itself may result in altered police behavior.
- The study is not sufficient to determine whether or not racial profiling occurs and it is not representative of the actions of all police officers within all agencies throughout the Commonwealth.

In the Spotlight

Chief John M. Kazlauskas



John M. Kazlauskas has risen through the ranks of the Owensboro Police Department, holding almost every position before being appointed the agency's chief in 2002. Kazlauskas joined the Owensboro Police Department in 1966. After serving only two years on the force, he was drafted into the military, where he served as an Army helicopter pilot. He returned to the agency when his military service was completed in 1971, and was assigned to develop and manage the newly created Evidence Collection Unit. He was promoted in 1973 to sergeant, and again in 1980 to lieutenant. He supervised the agency's Training Unit. A year later, he developed the agency's Polygraph Unit. In 1983, Kazlauskas became captain of the Patrol Division. In 1995, he was assigned as accreditation manager, and developed the department's first formal set of policies and procedures. In 1999, he was promoted to commander of the department's Patrol Division. He was appointed chief on September 1, 2002.

Kazlauskas has a degree in Criminal Justice from Eastern Kentucky University. He is a graduate of the FBI National Academy, the Criminal Justice Executive Development program and the Keeler Polygraph Institute. He is a licensed polygraph examiner, and is past president of the Kentucky Polygraph Association. He is also a member of the International Association of Identification and the Ayer Flying Club.

Kazlauskas is married to Kathy Darlene Wooldridge. They have two children, Johnna and Matthew.

What steps have you taken to involve your department with the Owensboro community?

We have become heavily involved in two community programs. One of the programs is named Community Conversations, which brings civic leaders and citizens together to discuss current issues in the community. Over the last few months, there have been nine study circles where police officers and citizens have met and talked in an effort to open up communications. We have met with members of

the study circles in an effort to listen to their suggestions and their ideas. The other program we are participating in is the Neighborhood Alliance program. There are 12 Neighborhood Alliance boards. We view these organizations as grassroots government at work. We meet frequently with each board and listen to their problems in an effort to deal with their criminal complaints and quality of life issues. We feel that this is just an excellent way to open up lines of communications between the police department and our community members. One of the things I initiated when I became chief was a citizen's advisory board. It meets on a quarterly basis to discuss specific problems and share information.

I feel strongly that our community sets the standards for our police department, and that a police department is only going to be as good as any community wants it to be. Our community expects a lot from this police department and that's good. We are going to continue to meet the standards our citizens expect.

How have you seen law enforcement change during your career?

When I came on in 1966, the police department was more military oriented. Of course, the training in 1966 was, I don't want to say non-existent, but it was nowhere near what we have now. Through the years, I have seen the training increase significantly. To be a professional police officer, training is the key. Without ongoing police training, officers will not reach that specific goal.

I have also seen our police department change from being reactive to a proactive department. There is more focus on community problems, and I believe our officers have grasped the community oriented policing concept. We are fortunate to have officers who are able to balance quality of life issues along with the criminal work. I see that occurring and it is most gratifying.

What do you see as major issues facing law enforcement?

Homeland security. I believe that law enforcement and police departments will be asked to perform new and different duties in the future. No community is immune. We, in Owensboro, are also going to have to continue the fight against drugs. Law enforcement plays a significant role in the fight against drugs, but we also need support from schools and parents as well.

What do you see as your major accomplishments as chief of police in your region?

Since I've been chief of police we've been able to reorganize the department into two major functions: operational and support. In the past we were divided into four divisions. The new change allows us to be more effective and more efficient to meet the needs of our community. Also, we are nearing the end of our five-year accreditation from the Kentucky Association of Chiefs of Police, and we are going through the re-accreditation process now. With the help of the KACP process, we are getting ready to move forward and take a serious look at the CALEA process.

Statewide LEN News In the Spotlight

STATEWIDE

Chief Barry Waldrop



Chief Barry Waldrop is serving his second stint as Nicholasville's chief of police. He first served in the agency's top position from 1990 to 1991, and returned in October 1996. Before working at Nicholasville, Waldrop served with the Jessamine County Sheriff's Department for eight years, and two years with the Jessamine County Detention Center. Chief Waldrop is committed to the citizens of his community and to his police department and, in so doing, plans on turning the police department into a formidable department that others will run to for employment. At this point in his tenure, with all the programs and changes going on in the department, he is actively seeking accreditation for his department. He has a Bachelor of Science degree in Police Administration from Eastern Kentucky University.

What do you consider as your major accomplishments as chief of police in your region?

Successfully changing the "reputation" of the Nicholasville Police Department from one of the "good ole boy" syndrome to that of a reputable and professional police agency.

Our department has always been known as a "training ground" for new police officer recruits. Once they've received their training, they've left us for bigger and better paying police agencies. Our employment turnover rate was astronomical. A comprehensive survey was conducted involving 24 police departments comparable in size to our agency. When it was established that our agency ranked 21st overall out of 25 law enforcement agencies with regards to salary, employment retention and other numerous aspects of a law enforcement agency, we began a plan of action to address our agency's problems to our city governing board. The end result was a substantial readjustment to the department's salary scale. With this new scale, which includes an annual 3 percent longevity increment (in addition to cost of living allowance), the end result has been a complete reversal in our employment turnover. Our agency's salary is competitive with law enforcement agencies considerably larger in scale to ours.

For years, our agency operated under a policy and procedure manual that was a carbon copy of the Kentucky State Police, as well as roughly 20 years old. This manual did not even address the needs of our agency. It was simply a "book" that said that our officers had rules to go by. In 1996, the great undertaking of formulating a department policy and procedure manual was begun — one that addressed and met the needs of our employees. The completion of this manual has been one of great pride. This manual also meets state accreditation standards.

What steps have you taken to involve your department in the Nicholasville community?

In 2000, we began a comprehensive 12-week Citizens Police Academy involving only the citizens of the Nicholasville community. The academy's curriculum focuses on all aspects of the department. The attendees graduate from the academy with a greater and more profound respect for a police department they had no idea about. C.P.A. Class 7 is ready to begin in February 2003.

In 2001, our agency, in conjunction with the Jessamine County Fiscal Court, established a safe haven for citizens of our community who have suffered the tragic loss of property (their home). The premise of our "Safe House" program is quite simple. A family tragically loses their home to a fire and has nowhere to go. We provide them with an apartment, at no cost to them, to live in for a short duration until other arrangements for housing can be made. We currently maintain three Safe House apartments for our community. All the comforts of home are provided in these furnished apartments, including toiletries, linens and household goods. Money is also provided to these victims for the purchase of foods and other essentials necessary for their day-to-day living.

Most police departments do not have the comfort of a police chaplain to turn to for help. We are extremely fortunate in that we have two police chaplains who head our department's Chaplaincy Program. The chaplains perform many services for our agency, as well as the community. The department also allocates funds, through a budgeted account, that assists the chaplains in helping those less fortunate than others. Funds are provided from this program to indigent persons for such things as gasoline for vehicles, food and utility bill payments. The Chaplaincy Program also sponsors its annual "Christmas for the Needy" program. Through community action, our department obtains a list of 40 children who will not have a Christmas. We allocate \$50 per child to spend for Christmas presents. Our officers then select the names of children in which they will buy for. Of course, officers always exceed the \$ 50 we provided, always doubling the amount. We provide these children with a Christmas party and arrangements are made between each officer and the indigent family to deliver the gifts for placement under the tree on Christmas morning (or snuck in the night before). We can't begin to explain the warm feeling we get to know we've made a small difference in the lives of families who are less fortunate than others.

What do you see as major issues affecting the Kentucky law enforcement community?

Law enforcement suffers with regards to specialized training to meet the needs of the police officer in such areas as:

- Homeland security — Acts of terrorism (i.e., Anthrax, chemical and biological warfare/attacks, etc.)
- Cultural diversity — Widespread growth in our Spanish-speaking population
- Computer crimes
- Carrying concealed deadly weapons

This is not to say that the Kentucky Law Enforcement Council doesn't do a good job in providing education to sworn police officers of this Commonwealth. However, many areas that need to be addressed, as far as training, are very limited, if at all available. We have to seek outside learning institutions to obtain education in areas that are needed now — that were needed five years ago. Monetary resources are limited, which makes it even more difficult to educate our officers in areas that they must have knowledge in.

How has the use of technology changed the effectiveness of your department?

New, sophisticated devices for surveillance have assisted with regards to crime solving and the apprehension of criminals. These devices have been around for years, but are constantly being redeveloped and increasingly innovative in their style and capabilities.

- Cell phones, pagers and voice mail — what a great tool for communications.
- Enhanced 911 — This has increased officer safety tenfold.

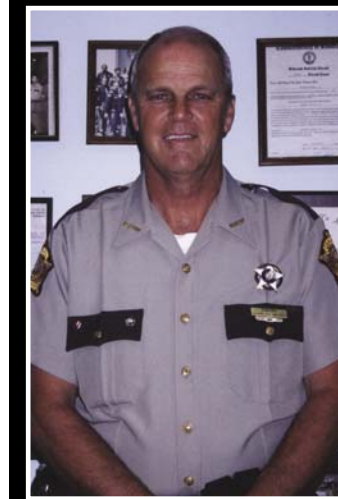
The development of the computer age has catapulted law enforcement agencies into an entire new realm of crime investigation and solving. However, along with this advanced technology, other, more serious crimes have developed — crimes involving computers and/or their usage.

As wonderful as today's modern technology has become for law enforcement throughout the world, these devices are as much of an advantage to the criminal, who is also becoming more sophisticated with their usage. For example, computers and scanners, digital photography, Internet access, advanced weaponry — all things available to law enforcement for use as crime-solving tools, are also available to the general public for their use. It's getting tougher.

Are there any current events you would like to comment on?

Homeland security — The Federal Bureau of Investigations is privileged to valuable information concerning the welfare of our citizens and acts of terrorism that may be conducted on them. However, this agency is extremely "guarded" in the data/information that it wants to reveal or share with fellow law enforcement agencies. The confidentiality of a lot of data is understandable, to an extent. However, there is a great need to communicate forthcoming problems to law enforcement agencies PRIOR TO and not AFTER a major catastrophic event has occurred. One must question the repercussions of divulging 'sensitive' information that might place a widespread panic in the hearts and minds of U.S. citizens. However, law enforcement officials should be privileged to information that will affect their community, so that we can be prepared, in an effort to protect our citizens. Simply to say that the FBI has issued a Stage 2 or Stage 3 alert? Okay — so what is that? What do we look for? What are we up against? At such point in time, confidential communications should be made with the affected community at hand.

Sheriff Charles Maiden



Charles Maiden has spent 16 years of his law enforcement career with the Carroll County Sheriff's Department. He started with the agency as a deputy in 1986. He became sheriff in 1994, and is now serving his third term. The Carroll County Sheriff's Department consists of four full-time deputies, one

part-time deputy, three county security bailiffs, two clerks and one chaplain.

Sheriff Maiden is a graduate of the Kentucky Sheriff's Academy at Western Kentucky University and the National Sheriffs' Institute. He has served as director of the Kentucky Sheriff's Association and was president of the organization in 2001.

What do you consider as your major accomplishments as sheriff in your region?

One of my major concerns when running for sheriff in 1993 was manpower. Prior to 1993, the sheriff's office consisted of the sheriff and myself. While talking with voters of my county, I soon learned that they wanted the sheriff's department to assist them in whatever law enforcement needs they might have. Upon taking office in 1994, I was able to hire three full-time deputies for patrol, three part-time deputies as court bailiffs and one part-time patrol deputy. We currently handle every aspect of law enforcement in our county. Our calls for service in Carroll County went from 3,260 calls in 1994 to 6,830 in 2001. We also have started many new programs in the county, including Neighborhood Watch and Triad. These two major programs have allowed the citizens of our county to be more involved in what we, as law enforcement, do every day. Through these programs, I can tell you that we currently solve more crimes and make more arrests due to the fact that we also have the citizens of Carroll County helping through community policing.

Statewide LEN News In the Spotlight

STATEWIDE

What aspects of your life helped shape your career as a law enforcement officer?

Actually, at the point in my life when I began as a deputy in 1986, I never dreamed I would actually become sheriff one day. I had been working as a heavy equipment operator and was off due to the weather, when the sheriff at that time asked me to be a deputy. I told him I would try it for a while. I rode with him on patrol a couple of times and then was given a weapon and cruiser and told to go to work. Not having any training really made it hard in certain situations because I didn't know what to do, but as they say experience is the best teacher and I soon learned that I could make a difference. Helping people every day soon convinced me this was what I wanted to do, and I knew with the help of the people in my county, I could make Carroll County a safer place to live and work.

What do you see as major issues affecting the Kentucky law enforcement community?

Currently I feel that drugs are one of the major issues we face every day. We should look at every avenue we can in stopping the flow of drugs, especially to our children. We should teach them every day the consequences it will have on them. I also believe that you must teach their parents. They are the support group for their children, and if they have no knowledge of what is going on in their children's life or what to look for, then we as law enforcement have

not benefited from what we have done. We at the Carroll County Sheriff's Department strive to do this, by not only being involved in the community, but also by reaching out on-to-one to one basis if necessary.

Are there any new programs or special projects you would like to share with your criminal justice peers?

I urge each of you to implement as many programs as possible. We all know that we can use as much help as we can get. Triad is a great program, which involves senior citizens. You will not find a more energetic or tenacious group to work with; they will assist you in whatever your endeavors may be. Neighborhood Watch is also a great program, which helps in deterring crime. Our Neighborhood Watch program has helped us many times in not only solving crimes, but also with many disasters that have occurred in the county. We currently just started our chaplaincy program that will provide the members of the Carroll County Sheriff's Department with the professional service of a chaplain in time of personal and professional human crisis, critical incident intervention and will encourage a spirit of community cooperation between the citizens of Carroll County and the sheriff's department.

What advice would you give to current law enforcement executives?

Don't be afraid to talk to other law enforcement executives. Learn from others by attending training, conferences and meetings. Also, learn from the people you serve. Criticism and advice sometimes go a long way in making you a better law enforcement executive.

2003 Memorial Ceremony Will Honor Fallen Officers

DOCJT Staff Report

At least eight new names will be added to the Kentucky Law Enforcement Memorial during the Department of Criminal Justice Training's annual memorial ceremony that will be held Monday, May 12, at 1:00 p.m.

Those being remembered include Pulaski County Sheriff Sam Catron, who was murdered April 13, 2002. Others who will be honored are Howard Callis, John Ruggles, James Young, William Wright, Creed Johnson and Arlin Curneal. These men gave their lives in the line of duty in years past and were never properly recognized.

"It will certainly be a privilege to honor my friend, Sam Catron," said Greg Howard, president of the memorial foundation. "His loss to the law enforcement community is great because of his dedication

and commitment to a career that he loved. I am also glad to have the opportunity, as the foundation's president, to honor the other officers who deserve to have their names added to this beautiful monument."

The Kentucky Law Enforcement Memorial Foundation was initially founded to build the monument that was dedicated in 2000. Due to the efforts and generosity of so many, in addition to the monument itself, the mission quickly expanded so that financial assistance may be provided for officers and their immediate families for medical, emergency and educational expenses.

If you would like more information, on the foundation or how to become involved in its efforts, please contact Greg Howard at the Department of Criminal Justice Training, (859) 622-2221.

Bomb-Detecting Dog Available to Meet Regional Needs

Justin Willis
Messenger-Inquirer

Daviess County's newest crime fighter handled the stress of her first public appearance with what came naturally, sitting quietly on the floor and gnawing on a plastic toy. Aysha, a 3-year-old German shepherd, is the result of a partnership among the Daviess County, Owensboro and Owensboro Catholic school systems and the Daviess County Sheriff's Department.

She is the only explosives-detecting canine in western Kentucky. Before Aysha (pronounced eye-shuh), the closest bomb-sniffing dogs were in Lexington and impractical to respond to a school bomb threat or other safety concern in Owensboro.

The school systems divided the funding for the dog, which cost roughly \$10,000. Daviess County paid \$5,000 while Owensboro and Owensboro Catholic each paid \$2,500 to purchase Aysha from Germany.

The canine is trained to detect the six main types of explosives and has the ability to locate a gun, either in a student's locker or at a crime scene where a criminal may have tried to hide incriminating evidence, Daviess County Sheriff's Deputy Chris Wolter said.

Wolter is the dog's full-time handler.

When schools have bomb threats, officers and school staff must evacuate students and conduct a manual search, Daviess County Schools Superintendent Stu Silberman said. That method works relatively well, but the addition of Aysha will provide students with the assurance of safety, he said.

"We'd rather be proactive than reactive to a situation," Silberman said. "This gives us 100 percent assurance."

The county schools have recorded nine bomb threats since 1999.

Explosive-detecting dogs are typically less aggressive than dogs trained to locate drugs. Drug dogs typically scratch at an area if it is believed to conceal narcotics. Because of the more volatile nature of explosives, the bomb-sniffing dogs do not scratch at an area, but signal the presence of explosives by lying on the ground.

Aysha is not trained to attack and is safe around people, Wolter said. The dog lives with Wolter and cooperates well with his personal dog and his three young sons, ages 5, 3 and 1. "She's real good with them," he said. "They love her to death."

The schools paid for the dog, but the services of Aysha will be available to meet regional needs if they surface, Sheriff's Capt. David Osborne said. Evansville does not have a dog like Aysha.

Aysha will become cross-trained as a tracker. Because of her gentle nature she would be ideal for searches involving missing children or disoriented seniors. Wolter attended a training session in Indiana for three weeks where he became acquainted with Aysha, learned how to work with the dog, and learned about 15 German words, which are used to give the dog commands.

Daviess County Sheriff Keith Cain said the dogs are bred and carefully selected for gentle qualities to find explosives. The handlers must also be carefully chosen and have similar qualities of gentleness and stability.

A law enforcement canine is protected by law, with increased penalties for people who harm them when committing a crime, Cain said. Police canines are considered officers, he said.

"We in law enforcement and the school systems see a legitimate need for such an officer," Cain said. "I think it speaks highly of the cooperation and the partnership we have with school systems."



Daviess County Sheriff's Deputy
Chris Wolter poses with Aysha, the
department's bomb-detecting dog.

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For more information on Daviess County's explosive-detection canine, please contact the Daviess County Sheriff's Department at (270) 685-6131

*Michele Smith, Director, Domestic Violence Unit
Oldham County Sheriff's Office*

In February 2000, Sheriff Steve Sparrow was appointed to the Domestic Violence Committee during the National Sheriffs' Association meeting in Washington D.C. Little did he know at the time that that would be the segue into a major turning point for his own administration and lead to the biggest project that the Oldham County Sheriff's Office had ever undertaken.

As he participated in the Rural Law Enforcement Training: Domestic Violence Intervention and Investigation seminar, Sparrow began to think of ways that domestic violence could be addressed in his hometown. Oldham County, 25 miles north of Louisville, had long been a bedroom community for the Louisville metro area. Urbanization was rapidly occurring and transforming the primarily agricultural county. From 1990 to 2000, the population had a 38.8 percent increase, which was three times that of the remainder of Kentucky and the nation as a whole. Oldham County was at that time the fifth fastest growing of Kentucky's 120 counties. Urbanization also brought with it increased crime. Though there had been no formal tracking methods implemented, Sheriff Sparrow knew that the incidents of domestic violence were increasing throughout his county, and wanted to brainstorm ways to combat this issue. Upon his return from the conference, he met with Chief Dep. Ron Jones and Sgt. Pete Dunlap to gather their input. Sgt. Dunlap began researching federal funding opportunities to develop a specialized domestic violence unit

work individually, and coordination is fragmented and disjointed. Sgt. Dunlap stated, "This is a unique approach to domestic violence, and it is our goal to make this a model program for the nation."

The grant goals are as follows: 1) Provide domestic violence victims with a strengthened legal advocacy program through the creation of a domestic violence intake center accessible to victims 24 hours a day, seven days a week 2) Create a domestic violence unit within the sheriff's department to provide a more focused response to domestic violence and dating violence 3) Create a community-based advisory board to provide outreach to victims of domestic violence in diverse, traditionally underserved populations 4) Increase the level of service to victims of domestic violence through enhanced collaborations of domestic violence programs, social services agencies and the criminal justice community and 5) Develop policies and provide training on domestic violence within the law enforcement agencies in Oldham County to enhance tracking of domestic and dating violence cases.

As soon as the grant was awarded, Sheriff Sparrow and his staff didn't waste any time in searching for an office location and staff to implement the Oldham County Sheriff's Office Domestic Violence Intervention and Prevention unit. Michele Smith, was hired as the director. Her background is in social advocacy, program development, project management and social service research, and she earned her Master of Social Work degree from Washington University in St.

Oldham County Sheriff's Office Launches

DOMESTIC VIOLENCE

within the Oldham County Sheriff's Office.

On October 1, 2002, the U.S. Department of Justice Violence Against Women Office awarded a \$523,173 grant over a two-year period under their Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. The Oldham County Fiscal Court was named as the lead agency and was given the responsibility of administering the federal funds. The Oldham County Sheriff's Office will serve as the lead implementing agency. A stipulation of the grant was that there was to be community partnership and collaboration to provide a unified front in addressing the issue of dating and domestic violence. To accomplish this and to avoid duplicating services, the sheriff's office partnered with the Center for Women and Families, the Oldham County Attorney, and the Commonwealth's Attorney 12th Judicial District. The conceptualization of a unit such as this, where it is overseen by a law enforcement agency and coordinates services from the law enforcement, judicial and social service systems, is extremely innovative. Most domestic violence programs

within the Oldham County Sheriff's Office. Louis. She will be responsible for overseeing the daily operations of the Unit and serving as a victim advocate when needed. Dep. John Nissen was named as the Investigator for the Unit, responsible for handling the law enforcement duties and follow up investigations on each domestic violence case. Deputy Nissen was recently awarded the Medal of Valor from the Kentucky Sheriffs' Association. Laura Wilkerson was hired as the administrative assistant, with responsibilities including assisting with the development and submission of reports outlining the progress of the unit on attaining its specified goals. She will also be the first point of contact for individuals contacting the Domestic Violence Unit. The grant supplied funding to hire two victim advocates through the Center for Women and Families. Jennifer Phillips, earned her bachelor's degree in social work from West Virginia University, and has years of experience working as a victim advocate both in Alabama and Kentucky. She has earned her certification through the Kentucky Domestic Violence Association. Jennifer will serve as the daytime advocate, assisting victims through the

court process, providing support and counseling and referral services. Jacqueline Hersh was also recently hired to serve as the evening advocate, riding along on duty with the investigator to provide assistance at the scene of domestic violence cases. She earned her master's degree in Women's Studies through the University of Cincinnati, and has a background advocating for women's rights in many different arenas.

An enormous amount of work had to be done to begin providing services to clients by the target date of January 1, 2003, but the staff of the unit and the sheriff's office were up to the challenge. Meetings were arranged with officials in the LaGrange Police Department and the Oldham County Police Department, the other two law enforcement agencies that provide services in Oldham County, to establish a coordinated response to domestic violence. Similar meetings were also held with court personnel, attorneys and social service providers. "It is amazing how much has been accomplished since the award of this grant. In just three months, the office has been secured and set up, the entire office staff has been hired, protocols have been developed, community partnerships forged and outreach has already begun," Sparrow said.

"The community is already showing tremendous support. Even before we officially started providing services on January, there were numerous phone calls from individuals wanting to state their support and volunteer to assist the unit in any way possible," Smith com-

DOMESTIC VIOLENCE UNIT

mented. "This unit is providing a desperately needed service in the area, and people are coming out of the woodwork to help – survivors of domestic violence, friends of individuals whose lives have been affected by family violence, and those in the community who just see a need and want to assist. This unit is going to have a lasting impact upon the community and will hopefully be able to continue expanding the services that we are able to provide. We have already begun a drop-off center to collect clothing and other necessities for victims and their children. As more needs are identified, it is our hope that we will be able to meet each of them as well."

If you are interested in gathering more information on the programs and services offered by the Oldham County Sheriff's Office Domestic Violence Intervention and Prevention Unit, contact Michele Smith at (502) 225-9066.

Kentucky State Police Graduates First Accelerated Class

*Lisa Rudzinski, Lieutenant
Kentucky State Police*

Twenty new troopers joined the ranks of the Kentucky State Police during graduation ceremonies held January 12 at Kentucky State University's Bradford Auditorium in Frankfort. The graduates are the first to complete the Kentucky State Police Accelerated Entry Program, a special training course for law enforcement officers with at least three years of previous law enforcement experience.

The accelerated entry program was created to expedite the selection, training and placement of individuals who already possess the skills, experience and certification to meet Kentucky's Peace Officer Professional Standards. Participants in the program receive 11 weeks of training rather than the standard 22 weeks required for cadets with no previous law enforcement background.

In awarding their diplomas, Kentucky State Police Commissioner Patrick N. Simpson drew attention to the pioneer status of the class. "As the first graduates of this program, these new troopers are making history. They'll have an immediate impact in boosting our field force. Many eyes will be watching them. However, I have every confidence that they will successfully meet all future challenges they may face and contribute to the public safety of the Commonwealth through service, integrity and professionalism."

Simpson also noted that due to the state's uncertain budget situation, this cadet class might be the last until fiscal year 2004. "Unfortunately, the 'thin gray line' might be getting a little thinner," he said. With the addition of the newly graduated cadets to the force, the agency currently has a strength of 957 sworn officers serving the citizens of the Commonwealth.

Normally, the Kentucky State Police Academy graduates one class of up to 80 cadets each per year. "With almost one-third of our existing force eligible for retirement by the end of fiscal year 2003 and the possibility of no cadet classes, our human resources might become strained in the future, affecting our ability to deliver the high performance service that the citizens of Kentucky expect and deserve," he added.

Several members of the class earned special recognition including valedictorian Charles Johnson of London, salutatorian Daren Phelps of Morgantown and overall fitness award winner Harvey Baxter of Paducah. Daren Phelps of Morgantown received the Ernie Bevins Award. Phelps received the honor because in the opinion of the Kentucky State Police Academy staff supported by input from the cadets, distinguished himself as a class leader, strives for academic excellence and excelled in all phases of the academy's physical and vocational training.

The ABCs of LEN

Andrea Brown, Administrative Assistant
Commissioner's Office

KACP Kentucky Association of Chiefs of Police

Through the years, the KACP has provided camaraderie and support for the current and retired chiefs of police by providing an opportunity to foster high professional standards of conduct, disseminate information on methods and procedures to prevent and combat crime and to promote public safety and citizen awareness. The KACP also works to secure proper legislation for the protection of the citizens of Kentucky and the advancement of the law enforcement profession. KACP maintains, inspects and awards departments a designation of state accreditation to those agencies meeting the federal guidelines. The KACP awards grants to enhance traffic safety and community oriented policing and will continue to seek grant opportunities to enhance service to members.

Craig Birdwhistell, Executive Director
Phone: (859) 622-6187
Fax: (859) 622-6606

KLEC Kentucky Law Enforcement Council

The Kentucky Law Enforcement Council is the certifying agency for peace officer standards and training (POST) in the Commonwealth and is charged with the following responsibilities:

- To prescribe standards for the approval and continuation of approval of law enforcement training schools
- To prescribe minimum qualifications for law enforcement training instructors
- To prescribe qualifications for attendance and conditions for expulsion from such schools
- To approve, issue and revoke for cause certificates to schools and instructors
- To approve law enforcement officers and other persons as having met requirements for participation in the Kentucky Law Enforcement Foundation Program Fund
- To inspect and evaluate law enforcement training schools
- To recommend reasonable rules and regulations to the Justice Cabinet Secretary
- To monitor the Kentucky Law Enforcement Foundation Program Fund (KLEFPF)
- To adopt bylaws for conducting its business
- To certify peace officers

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KLEMF Kentucky Law Enforcement Memorial Foundation

The Kentucky Law Enforcement Memorial Foundation was created to establish a memorial as a tribute to all Kentucky law enforcement officers and dedicated to the Kentucky law enforcement officers who have given their lives protecting the citizens of Kentucky since 1854. The memorial provides assistance to Kentucky law enforcement families with education incentives for their children, hospital or medical bills and other expenses.

Greg Howard, President
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FOP Fraternal Order of Police

Kentucky State Lodge Fraternal Order of Police, Inc., is an organization of law enforcement officers sworn to uphold and enforce the law under all legal circumstances equally among all citizens regardless of race, gender, religion or national origin. The FOP works to better existing conditions of law enforcement officers at the local, state and national levels through the legislative and judicial process to enhance training, pay and conditions of employment.

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KSA Kentucky Sheriffs' Association

The Kentucky Sheriffs' Association is a statewide organization of sheriffs and deputies, promoting the professionalization and quality of the office of sheriff through the legislative process. The association strives to maintain, ensure and encourage a high standard of ethics and integrity in the office of sheriff. The association supports the KSA Boys and Girls Ranch to allow underprivileged children to attend summer camp. Also, the association facilitates training for sheriffs and deputies across the state of Kentucky. The board of directors meets monthly and the association hosts an annual conference in December.

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KSPPA *Kentucky State Police Professional Association*

KSPPA is a nonprofit fraternal association composed of Kentucky State Police personnel. The objectives and purposes for which the association is organized are to promote fellowship and cooperation among its members, to promote the social, professional and economic condition of its members, to advance the professional reputation of the Kentucky State Police through the interchange of technical knowledge in police work and by fostering true police ethics, to promote the public interest as affected by the services of the Kentucky State Police, and to provide fair, impartial and professional police services to citizens of the Commonwealth of Kentucky.

Tommy Burris, President
Phone: (502) 875-1625
Fax: (502) 875-1688
E-mail: president@ksppa.com
Web site: www.ksppa.com

KWLEN *Kentucky Women's Law Enforcement Network*

Kentucky Women's Law Enforcement Network welcomes all women and men in the criminal justice field, regardless of rank, assignment or department affiliation. In addition to sworn personnel, educators and students in the law enforcement fields of study, as well as other individuals interested in the law enforcement profession, are encouraged to become members. The goals for this organization include the promotion of mentoring and networking among federal, state and local law enforcement personnel, and to provide continued support, training and technical assistance to the members. KWLEN provides a mechanism of advocacy and support for its members to voice concerns and address law enforcement issues. KWLEN is a resource for developing skills, professionalism and effective leadership.

Kelli Edwards, President
Phone: (859) 425-2060
E-mail: kelli@lfucg.com

KPOA *Kentucky Peace Officers' Association*

The Kentucky Peace Officers' Association is a professional, educational association for sworn peace officers from all walks.

Susanna M. Bullard, Executive Secretary
Phone: (859) 263-5599
Fax: (859) 263-5421

RCPI *Regional Community Policing Institute*

The Regional Community Policing Institute (RCPI) at Eastern Kentucky University (EKU) is one of a network of community policing institutes across the nation funded by the U.S. Department of Justice, Office of Community Oriented Policing Services. The RCPI at EKU accomplishes its mission through collaborative efforts with various state and national organizations. The mission of the RCPI at EKU is to encourage and enhance the implementation of community policing in Kentucky in order to create safer communities through training and technical assistance. Training is centered on the development and delivery of quality community policing training for police agencies and citizens throughout Kentucky.

Cindy Shain, Associate Director
Phone: (859) 622-2362
Fax: (859) 622-5879
E-mail: kycops@eku.edu or cindyshain@aol.com
Web site: www.kycops@eku.edu

AHIDTA *Appalachia HIDTA*

The Appalachia High Intensity Drug Trafficking Area Executive Committee is comprised of 16 local, state and federal law enforcement leaders in the Kentucky, Tennessee and West Virginia HIDTA areas of responsibility. Since the 1998 designation of the Appalachia HIDTA, a large number of participating agencies have worked together to coordinate drug suppression activities extending throughout the 65 designated counties and encompassing the efforts of six U.S. Attorney offices, seven federal agencies, 17 state agencies, two national forests and 2 national parks. The following initiatives will be implemented as part of the Appalachia HIDTA strategy: 1) Demand Reduction Team; 2) Eradication Strike Force; 3) Evaluation and Research Team; 4) Appalachia HIDTA Intelligence Team; 5) Interdiction Team; 6) Investigation Team; 7) Prosecution/Money Laundering Team; and 8) Appalachia HIDTA Administration and Operations Support.

Roy Sturgill, Director
Phone: (606) 877-2100
Fax: (606) 878-8367
E-mail: sturgilln@ahidta.org

The ABCs of LEN

Continued...

AOC *Administrative Office of the Courts*

The Administrative Office of the Courts (AOC) supports a statewide court system that consists of 3,200 elected officials that include justices, judges and circuit and court clerks. AOC acts as a fiscal agent of the Court of Justice that maintains data processing, supplies and equipment, administers personnel policies and payroll, regulates accounting and oversees the state pretrial and juvenile services. Established in 1976, the Administrative Office of the Courts under the Kentucky's Constitutional Judicial Article states that Kentucky has a statewide, unified court system.

Cicely Jaracz Lambert, Director
Phone: (502) 573-2350
E-mail: DirectorsOffice@mail.aoc.state.ky.us

KLC *Kentucky League of Cities*

The Kentucky League of Cities (KLC) is a voluntary association of cities created in 1927 to assist municipal officials on behalf of the interests of cities and to provide services to members, which fosters improved municipal government in Kentucky. The league provides a comprehensive service program to members, which assists city officials in carrying out the task of local governance. The Kentucky League of Cities mission statement states that it strengthens communities by promoting innovation, leadership and quality governance. There are eight qualities that fall under the mission statement, that members must follow: values, honesty, integrity, responsibility, credibility, creativity, respect and results-oriented.

Bill Nigbert, President Mayor
Phone: (859) 977-3700 or (800) 876-4552
Fax: (859) 977-3703

CALEA *Commission on Accreditation for Law Enforcement Agencies*

The overall purpose of CALEA's accreditation program is to improve delivery of law enforcement service by offering a body of standards, developed by law enforcement practitioners, covering a wide range of up-to-date law enforcement topics. It recognizes professional achievements by offering an orderly process for addressing and complying with applicable standards.

Sylvester Daughtry, Jr., Executive Director
Phone: (800) 368-3757
E-mail: calea@calea.org

IACP *International Association of Chiefs of Police*

The IACP foundation was created to help the law enforcement profession gather resources from sponsors, provide funds for innovative programs, education, state-of-the-art research and survivor support. These programs result in progressive solutions that enhance and improve police services. The mission for the IACP is two-fold. The first part is to serve law enforcement by securing and providing necessary financial and programmatic resources needed to conduct educational and training programs and perform research and experiments. The second part of the mission is to assist survivors of law enforcement officers killed or injured in the line of duty and otherwise support law enforcement agencies to effectively and efficiently carry out their missions.

Joseph Samuels, Jr., President
Phone: (703) 836-6767 or (800) THE - IACP
Fax: (703) 836-4543
E-mail: samuejr@aol.com

IADLEST *International Association of Directors of Law Enforcement Standards and Training*

IADLEST presents its members an opportunity to meet with other training and standards managers to exchange ideas, seek advice and to compare progress. Members obtain the products of IADLEST projects, national policy input and innovations in criminal justice standards and training. The mission of IADLEST is to research, develop and distribute information, ideas and innovations which aid states in establishing effective and defensible standards for employment and training of law enforcement officers and, in those states where dual responsibility exists, correctional personnel.

Sidney Groll, President
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E-mail: sgroll@utah.gov

A portion of this information was taken from the Resource Guide published by the Kentucky Crime Council.

Kentucky Law Enforcement Receives Desert Snow Training



Officers investigate a car during Kentucky's first Desert Snow High Intensity Criminal Interdiction Training

DOCJT Staff Report

The Kentucky Transportation Cabinet and its Vehicle Enforcement Division hosted the state's first Desert Snow High Intensity Criminal Interdiction Training course from November 18 to 22. Desert Snow is a hands-on, 40-hour training course that teaches officers to identify people involved in the transportation of large quantities of drugs as well as terrorist activities.

More than 25,000 law enforcement officers throughout the United States, Canada, South America, Norway, South Africa, Chile, Peru and Argentina have received Desert Snow training. The training includes three phases. Phase I teaches officers how to detect drug smugglers and terrorists in vehicle stops. Phase II is a 16-hour workshop where 1,300 pounds of simulated drugs are concealed in different types of vehicles. This phase covers a wide range of concealment methods and shows where drugs are concealed in different vehicles. Phase III teaches officers how to interdict drug smugglers who use commercial, rental and other large vehicles.

"We believe our number one priority should be to help the innocent motoring public while seizing drugs and arresting major criminals," Transportation Secretary James C. Codell III said to the officers during the training kick-off.

Statewide Briefs:

KWLEN Installs New Officers

Four police officers were recently sworn in as the Kentucky Women's Law Enforcement Network's elected officers for 2003. The organization's new president is Lt. Kelli Edwards, who has been with the Lexington-Fayette Urban County Division of Police since 1991. Officer Elizabeth Pugh, who has been on the Lexington force since 1998, is KWLEN's first vice president. Officer Nichole Sears, a member of the Russellville Police Department for two years, is second vice president. Officer Marianne Haverlin, who has been with the Prospect Police Department for five months, is secretary, and Det. Bella Miller, a member of the Lexington P.D. since 1999, is treasurer.

The officers were installed during KWLEN's second annual awards ceremony, which was held during the group's conference at the Hyatt Regency Hotel in Lexington.

Pascal Graduates from CPM; 19 Other Staffers Nearer to Completing Program

DOCJT employee Mary Pascal graduated from the Kentucky Certified Public Manager Program, while 19 other DOCJT employees received their Certificate of Management Fundamentals at a ceremony held November 7 in Frankfort. Pascal also won a project award.

The CPM program is an accredited curriculum that teaches managerial training for state government employees. To become a CPM, employees must complete an intensive curriculum that includes tests, projects and almost 300 hours of classroom instruction, which is broken into two phases. After completing the initial phase, employees receive their Certificate of Management Fundamentals.

DOCJT employees who recently received their CMF certificate were Kenneth Alexander, Teresa Babb, Melissa Beck, Janet

Brockwell, Elyse Christian, Robert Cron, Danny Dailey, Andy Ferguson, Shawn Herron, Jerry Huffman, Mike Keyser, Wanda Mason, Stephen McIntyre, Jimmie McKinney, Patrick Miller, James Rollins, Jane Sexton, Pamela Shaw and Robin Whitaker.

Bailey Speaks at Graduation for WWII Veterans

DOCJT Special Projects Coordinator Clay Bailey was the commencement speaker at a diploma ceremony for 37 World War II veterans who weren't able to graduate high school before heading off to war. The veterans, 16 of whom had already passed away, were honored with Harrison County High School Diplomas on December 7, 2002. House Bill 45, passed during last year's session, enabled the commissioner of education to award high school diplomas to World War II veterans who did not complete high school before their service in the United States Armed Forces during the war.

"If not for their service and sacrifice the world would be a much different place than it is today," Bailey said during his commencement address.

Cook, Mosser Earn DRE Certification

Two DOCJT instructors, Darrell Cook and Terry Mosser, have completed training to be certified as Drug Recognition Experts. Cook and Mosser attended a DRE conference in June 2002. The DRE program, which originated in California, is a standardized and systematic method of examining suspects to determine if they are impaired, if the impairment is related to drugs or a medical condition and the category or combination of categories of drugs that are likely to cause the impairment.

DOCJT Staff Report 2003 Comprehensive Survey

The Staff Services and Planning Office is preparing the 2003 Comprehensive Survey for completion by all Kentucky law enforcement agencies. The survey is scheduled for agencies to complete in May 2003. The last comprehensive survey was completed in 2001.

The 2003 Comprehensive Survey will request information regarding salary, benefits, equipment, etc. Results of the survey will be made available, upon request, to any Kentucky law enforcement agency. The survey will also be posted on the Department of Criminal Justice Training web site. Law enforcement agencies have found the survey results

beneficial when requesting salary increases or improved benefits because it allows them to easily provide comparative statistics. A high percentage of surveys will need to be completed in order to provide agencies with the necessary information to conduct salary and benefit comparisons.

This year the survey may be completed by agencies either in hard copy format or online via the Internet. The Staff Services and Planning Office will contact agencies by letter to determine the preferred method (hard copy or online) for completing the survey.

Please participate in this very important survey.

KSP Wins Chief's Challenge Honors



(Left to right) Jerry Frick, director of Ford Motor Company's commercial and government fleet operations, presented the International Association of Chiefs of Police "Chief's Challenge Award" to Kentucky State Police Commissioner Patrick N. Simpson, Lt. Col. Linda Mayberry, Deputy Commissioner Tim Hazelette and Sgt. Tony Young.

KSP/SUBMITTED

Justice Cabinet Staff Report

The Kentucky State Police received two awards in the 2001 National Chief's Challenge competition sponsored by the International Association of Chiefs of Police (IACP). The agency took first place honors in the State Police/Highway Patrol (501-1,000 sworn) category and shared the top spot in the "Rookie of the Year" category, a division for first-year participants in the competition.

Established 11 years ago, the Chief's Challenge was created to recognize law enforcement departments that are successful in traffic safety efforts. The program targets three major traffic safety priorities: occupant protection, impaired driving and speeding. Agencies compete against similar size agencies in several categories based upon number of sworn personnel.

Approximately 280 organizations participated in the competition. Judging criteria included public information, education programs and enforcement.

According to IACP, enforcement is a key element in traffic safety. Winning applicants implemented programs to increase safety belt usage, reduce impaired driving and control speeding violations to reduce crashes and injuries.

Based in Alexandria, Virginia, the IACP is the world's oldest and largest nonprofit membership organization of police executives, with more than 19,000 members in more than 100 different countries.

Young Wins Highway Safety Award

Justice Cabinet Staff Report



Sgt. Tony Young was selected as a recipient of the prestigious 2002 J. Stannard Baker Award for Highway Safety. Sponsored by the International Association of Chiefs of Police, the National Highway Traffic Safety Administration and the Northwestern University Center for Public Safety, this national award recognizes individual law enforcement officers and others who have made significant lifetime contributions to highway safety.

Sgt. Young is one of two winners selected from 50 nominations for the honor. Criteria for the award include "unusual initiative and creativity in developing and promulgating traffic safety programs within their agencies or the communities they serve."

In presenting the award, the sponsoring organizations cited Young's "professional approach, meticulous research, thoroughness, dedication to his work, ability to partner with other agencies/personnel for the furtherance of highway safety and his impeccable leadership."

A 24-year law enforcement veteran, Sgt. Young has served with the KSP for almost two decades. In 1997, he was appointed commander of the Governor's Office of Highway Safety. Since then, the number of seat belt citations issued by all of Kentucky's law enforcement agencies has increased 70 percent.

The award is named to honor J. Stannard Baker, a former physics professor at Northwestern University, who made significant contributions to highway safety. A pioneer in accident reconstruction investigation, Baker developed this field into a science by applying the laws of physics and developing mathematical equations to assist police in their investigations. He also authored the first books on accident reconstruction investigation, many of which are still in use today.

Stephen G. Horner

Named State ABC Commissioner

Justice Cabinet Staff Report



Governor Paul Patton appointed Stephen G. Horner as commissioner of the Kentucky Department of Alcoholic Beverage Control on December 13. Horner replaced Rick Johnstone, who left ABC after being named Deputy Mayor for the new merged Louisville/Jefferson County government. Horner's appointment was effective January 6.

Horner, 59 years old and an attorney, served as ABC's Division of Malt Beverage Administrator from 1996 to 2000. From 2000 until his new appointment, Horner served as the Public Protection and Regulation Cabinet's general counsel.

"Steve has an in-depth knowledge of the intricate laws governing Kentucky's alcohol industry," Governor Patton said. "His prior service at ABC, combined with his legal and government experience, makes him an outstanding choice to lead ABC."

The ABC is responsible for issuing alcoholic beverage licenses and enforcing Kentucky statutes and administrative regulations pertaining to the alcoholic beverage industry. In addition to its enforcement duties with respect to alcohol, the agency is responsible for enforcing Kentucky's teen access tobacco laws. The Kentucky Alcoholic Beverage Control Board, comprised of the commissioner of the department, the Distilled Spirits and Wine administrator and the Malt Beverage administrator, preside over hearings to determine when violations of the alcohol or tobacco laws have occurred. The board has the ability to suspend alcohol licenses, revoke alcohol licenses or to impose civil fines against violators.

John Winstead

Named Commissioner of Department of Charitable Gaming

DOCJT Staff Report

Governor Paul Patton announced on January 24 the appointment of John L. Winstead, Jr. as commissioner of the Department of Charitable Gaming, an agency of the Public Protection and Regulation Cabinet. Winstead replaces former Commissioner Ray Franklin, who died December 12, 2002 from complications following a traffic accident.

Winstead has served as the director of the department's division of enforcement since 1998, where he directed and managed the investigation and auditing branches. Prior to his employment in state government, Winstead was a Louisville Division of Police officer and detective from 1972 to 1996, where he earned several commendations including exceptional valor.

"John's background in law enforcement and his knowledge of the charitable gaming industry will enable a seamless flow of the department's mission while ensuring that Ray Franklin's

legacy of integrity and advocacy will be continued," said Gov. Patton. "I have full confidence in John's ability to ensure the productivity of charitable gaming through appropriate regulation, oversight and education.

The Department of Charitable Gaming was created to provide a regulatory framework allowing charitable gaming to thrive as a viable fund-raising mechanism.

"I share Governor Patton's confidence in John's leadership skills and look forward to working with him as commissioner," said Janie A. Miller, secretary of the Public Protection and Regulation Cabinet.

Winstead attended the University of Louisville and Eastern Kentucky University. He served on the board of directors of the Fraternal Order of Police Louisville Lodge #6 for 16 years and held other elected positions in the FOP including delegate, outer guard and vice president.

Allen and Thomas Leave Justice Cabinet

Justice Cabinet Staff Report

Kim Allen, Executive Director of the Kentucky Criminal Justice Council, resigned her position to become secretary of the Public Protection Cabinet in the Louisville Jefferson County Metro Government.

In her role at the Kentucky Criminal Justice Council, Allen provided staff support to the 28-member board responsible for making recommendations to the Governor and the General Assembly on legislation and criminal justice policy. She oversaw the operation of two divisions: the Planning Branch and the Grants Management Branch.

She assumed her role with the Justice Cabinet following a 14-year career as a local criminal justice planner with the Louisville-Jefferson County Crime Commission. Allen joined the Crime Commission in 1984 and served as the chair of the Executive Committee of the National Association of Criminal Justice Planners since 1996 and as a member of the committee since 1987.

In 1996, Governor Paul Patton appointed her to serve on the Governor's Council on Domestic Violence. Since that time, Allen has served as chair of the council's Training Committee. From 1992 through 1995, Allen served as co-chair of the Attorney

General's Task Force on Child Sexual Abuse. Allen also served as a Governor's appointee to the Juvenile Sex Offender Treatment Board from 1989 to 1992.

Allen has a master's degree in Justice Administration from the University of Louisville, a master's in Clinical Psychology from Spalding University and a bachelor's degree in Nursing from Eastern Kentucky University.

Pam Thomas resigned from her role as a Justice Cabinet Principal Assistant in November to return to the Legislative Research Commission, where she works on the Appropriations and Revenue Committee. Thomas worked at the Justice Cabinet for 11 months. Her primary focus was on the cabinet's budget, strategic planning and assisting with the Criminal Justice Council.

Thomas has a Bachelor of Science degree from St. Bonaventure University. She is also a graduate of the University of Kentucky law school.

She joined the LRC staff in 1990, and worked for eight years on the Appropriations and Revenue Committee. In 1998, she went to work for the Department of Juvenile Justice, and in January 2002 became a Principal Assistant at the Justice Cabinet.

Louis Smith Retires

Louis Smith, the chief information officer for the Kentucky Justice Cabinet, retired from the cabinet after 29 years in state government. Appointed as chief information officer for the Kentucky Justice Cabinet in March 1999, Smith was responsible for the overall information technology efforts of the cabinet. He coordinated the cabinet's Y2K efforts, represented the cabinet on the Unified Criminal Justice Information Systems (UCJIS) Subcommittee and was a member of the Commonwealth's CIO Governance team.

Smith has 29 years experience with the Justice Cabinet and Department of Corrections in various capacities, both at the institutional level and in central office. Prior to his current role, Smith was the branch manager of the Kentucky Department of Corrections' Information and Technology Branch, which directs all automation, research and survey activities for the department. He has worked as director of information systems and public information officer at the Kentucky State Reformatory. Smith was involved in the development of the statewide Victim Notification System (VINE) for the department and the statewide jail VINE program.

Muller Appointed as Executive Director of Crime Council

Justice Cabinet Staff Report

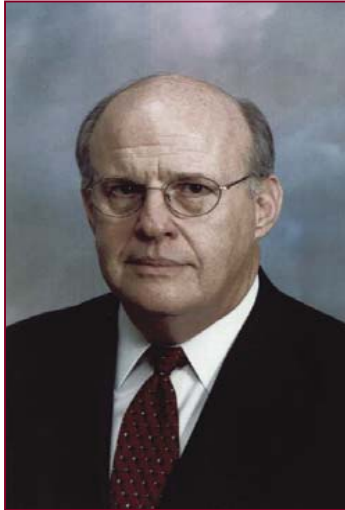
Governor Paul Patton and Justice Cabinet Secretary Ishmon Burks have announced the appointment of Nicholas P. Muller as the executive director of the Kentucky Criminal Justice Council. Muller, whose appointment was effective February 5, replaces Kim Allen who resigned to accept a position with the Louisville Jefferson County Metro Government.

Muller's career spans nearly 35 years within both state and federal criminal justice systems. Most recently he served on the Pennsylvania Board of Probation and Parole, appointed by then-Governor Tom Ridge.

"It is important for the momentum and the work of the Criminal Justice Council to continue," said Governor Patton. "I am impressed with Nicholas Muller's wealth of experience and knowledge. His enthusiasm and commitment will serve the council well as it proceeds with evaluating all aspects of the criminal justice system."

The Criminal Justice Council, a multi-disciplinary group comprised of 32 members, was created in 1998. It was established to study and make recommendations to the governor and legislators concerning criminal justice reform.

Charitable Gaming Commissioner, Ray Franklin, Dies at 56



DOCJT Staff Report

Kentucky's Department of Charitable Gaming Commissioner Ray Franklin passed away December 12 from complications resulting from a December 4 traffic accident. Franklin, 56 years old, had served as commissioner of the department since July 1999.

Franklin came to state government following a long career in law enforcement that included 24 years as a detective with the City of Louisville Police Department. He also worked as director of security for the Kentucky State Fair Board and director of special investigations for the Kentucky Attorney General's office in 1998.

Franklin began his work at the Department of Charitable Gaming, then a division of the Justice Cabinet, as a director in 1998. Governor Paul Patton appointed him to the commissioner's position when the department moved to the Public Protection and Regulation Cabinet in 1999.

"I am deeply saddened by Ray's death," Governor Patton said. "Ray's been a good friend and excellent state employee, always putting the welfare of Kentuckians first. His experience in law enforcement and knowledge about charitable gaming issues helped grow the Department of Charitable Gaming into the well-respected and important agency it is today. He will be greatly missed."

"Ray's knowledge and experience in the field of charitable gaming were unmatched," Public Protection and Regulation Cabinet Secretary Janie Miller said. "We've lost a great employee and friend and we're left with a tremendous void to fill."

Franklin was a long-time member of the Fraternal Order of Police (FOP), first serving as president of Louisville Lodge No. 6 from 1987 to 1995. He served as secretary of the state FOP from 1993 to 1999. During that same period, he was elected to the Grand Lodge Fraternal Order of Police Executive Board in 1995 as sergeant-at-arms and served in that position until he was elected to second vice-president in 2001.

Throughout his tenure with the FOP, Franklin specialized in working for member rights and was active in working for Social Security reform for police officers and their spouses. "Ray's commitment and dedication to the Fraternal Order of Police and to the law enforcement community cannot be replaced," said Chuck Canterbury, Fraternal Order of Police National Vice President. "Earning Ray's respect and friendship is one of my most cherished accomplishments and I am truly blessed to have served with him for the past eight years on the FOP Executive Board."

Franklin is survived by his wife Edith and daughters Angela Binkley and Andrea Renfrow.

Trimble County Deputy Jailer Howard Callis Dies

*Darren Pike, Editor
The Trimble Banner*

Trimble County Deputy Jailer Howard "Buck" Callis died December 11. Callis had been hospitalized since December 4 after he sustained serious injuries in an accident.

According to Kentucky State Police, the accident took place on the Western Kentucky Parkway at 11:10 CST near Madisonville, Kentucky in Hopkins County, when a semi truck collided with the vehicle Callis was driving. Callis and Trimble County Jailer Keith Harmon were en route to pick up a prisoner when the accident occurred.

Trimble County Judge-Executive Ray Clem said Harmon suffered a blow to the cheekbone and experienced some sinus bleeding, but was otherwise OK. Clem said he was told Callis suffered six broken ribs, a collapsed lung and some hemorrhaging around the brain.

"It was quite a shock to everyone," said Deputy Sheriff Howard Long. "He was a fine fellow, and well liked by everybody. He was easy to get a long, and he was a man of his word. We thought very highly of him and worked with him quite a lot. He will be missed by a lot of people."

Callis, 79, a Department of Transportation retiree, will be added to the Kentucky Law Enforcement Memorial in Richmond during the May ceremony.

Excerpts reprinted with permission from The Tribune Banner

Former Federal Prosecutor, Joe Famularo, Dies at 60

*Jim Jordan and Monica Richardson
Lexington Herald-Leader*

Joseph L. Famularo, the former U.S. attorney hired to restore the credibility of the Kentucky Transportation Cabinet, was buried December 10 after dying unexpectedly December 6 at St. Joseph Hospital in Lexington.

Famularo, 60, was diagnosed on November 21 with primary pulmonary hypertension, a rare disorder of the lung that causes blood pressure to rise to high levels in the artery that connects the heart and the lungs.

On Friday, December 6, Famularo drove to Louisville to attend a meeting and became ill during the return trip to Lexington, said his widow, Donna Glass Famularo. He died in the emergency room.

"He was a good, good man" who took care of his health, she said. Famularo was a longtime runner who completed a 26.2-mile marathon at the age of 51. "He died way too young," she said.

Governor Paul Patton, who appointed Famularo deputy secretary for legal affairs of the Transportation Cabinet in November 2001, called Famularo "an outstanding and unselfish public servant."

"Both our Commonwealth and country were blessed to have had the benefit of his legal mind and unquestioned integrity. He will be missed," Patton said through his spokesman, Rusty Cheuvront.

Famularo was born in 1942 in Mount Olivet and educated at Loyola University and the University of Kentucky College of Law. He then held a series of federal, state and local government positions that culminated in 1993 in his being named U.S. attorney for the Eastern District of Kentucky.

Famularo's eight years as the area's chief federal prosecutor were noted for stepped-up enforcement of drug laws, campaigns against Medicare fraud, the gambling and sex scandal involving former legislative aide Kent Downey and the raid on Kelco Inc. that led to the continuing prosecution of the Lexington company's top executives for fraud.

"I thought he did an excellent job as U.S. attorney for the Eastern District," said retired U.S. Bankruptcy Judge Joe Lee. "He was an outstanding lawyer and a cherished friend of the family."

Chief U.S. District Judge Karl S. Forester, who met Famularo when they were in law school 34 years ago, said Famularo "was one of the nicest people I have ever known."

As U.S. attorney, Famularo ran a low-key but very effective office, Forester said.

Famularo was always kind, said Fayette Commonwealth's Attorney Ray Larson. "I can't remember ever seeing him angry. He was always diplomatic and pleasant."

And, Larson added, "Joe was always the guy somebody called to clean up a mess. The Transportation Cabinet situation is a good example of that. He had a good reputation. When people were trying to get things straightened out, they called Joe.

"We'll miss him," he added.

Patton appointed Famularo to review alleged scandals in the Transportation Cabinet that included accusations of fraud and mismanagement of a minority business program, and alleged bribe solicitation by inspectors on a Louisville bridge-painting project.

The review was continuing at the time of Famularo's death.

In addition to his widow, survivors include a son, Joseph D. Famularo of Lexington; a daughter, Stephanie Casenhiser of Chicago; and a brother, John M. Famularo of Lexington.

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Statewide LEN News

New Chief and Sheriffs

STATEWIDE

Sheriff Offices

Adair — *Steve Cheatham*

Allen — *Lee Marsh*

Bell — *Bruce A. Bennett*

Bourbon — *Mark L. Matthews*

Boyd — *Terry R. Keelin*

Boyle — *Michael Leeroy Hardin*

Breckinridge — *Todd Pate*

Calloway — *Larry W. Roberts*

Casey — *Jerry Coffman*

Clark — *Ray E. Caudill*

Gallatin — *Nelson Brown*

Grayson — *David Simon*

Green — *Tim Stumph*

Hardin — *Charles Anthony*

Hopkins — *Frank Latham*

Knott — *Ray E. Bolen*

Knox — *John Pickard*

Larue — *Bobby Shaffner*

Lawrence — *Garrett M. Roberts*

Leslie — *John Curtis Morgan*

Letcher — *Danny Webb*

Logan — *Wallace E. Whittaker*

Magoffin — *Randall “Bob” Jordan*

Martin — *Garmon David Preece*

McCreary — *Clarence “Penny” Perry*

McLean — *Frank Cox*

Meade — *Clifford I. Wise Jr.*

Morgan — *Mickey Whitt*

Nicholas — *Leonard T. “Dick” Garrett*

Owsley — *Kelly Shouse*

Perry — *Pat Wooton*

Powell — *Joe Martin*

Pulaski — *Todd Wodd*

Rockcastle — *Darrell Doan*

Shelby — *Mike Armstrong*

Simpson — *R.E. “Gene” Starks*

Todd — *Keith Wells*

Trimble — *Tim Coons*

Webster — *Frankie Springfield*

Whitley — *Lawrence Hodge*

Chiefs

Elkton P. D. — *Gerald Barnett*

Glasgow P. D. — *Ron Harris*

Harlan P. D. — *Danny E. Caudill*

LaGrange P. D. — *Kevin Collett*

Louisville Metro — *Robert White*

Paintsville P. D. — *Larry Van Hoose*

University of Kentucky P. D. — *Henry Huff*

Oldham County P. D. — *Mike Griffin*

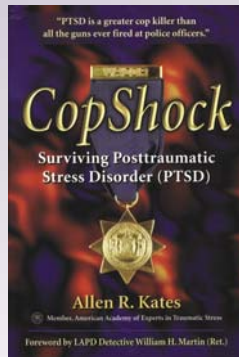
Princeton P. D. — *Brian Ward*

Erlanger P. D. — *Marc Fields*

Copshock: Surviving Posttraumatic Stress Disorder (PTSD)

By Allen R. Kates
Holbrook Street Press, Tucson, AZ; 1999

Michael S. Schwenedman, Attorney III
Legal Section



(PTSD), Allen Kates explains to the reader what PTSD is, what it is not, how it can destroy the lives of police officers, and what can be done to help officers suffering with it.

The book is essentially in two parts. In the first part, Kates relates the stories of several officers to illustrate what PTSD is and how devastating it can be. In the case studies Kates presents, each officer's road to PTSD was different. In some cases, the initial trauma is from an on the job incident. One is a female officer, who was seriously injured by a knife-wielding suspect. One officer survives a gunshot wound after a stakeout goes sour. Another suffers permanent injuries from a terrorist's bomb. In yet other cases, a cop is involved in repeated shootings where he killed suspects, while another officer has problems because he didn't fire his weapon when he perhaps should have. Kates also relates the stories of officers whose initial trauma occurred prior to their entering law enforcement, serving in Vietnam, or a childhood marked by abuse. Their later experiences as officers build upon the earlier trauma. In all cases, the officers withdraw into themselves, engage in self-destructive behavior, substance abuse, and often contemplate or attempt suicide. In one poignant case study provided, the officer succeeded in his attempt.

It is no secret that policing is one of the most stressful occupations on earth. Only recently has the medical community begun to recognize that many law enforcement officers suffer from the condition called Post Traumatic Stress Disorder (PTSD). This condition has caused tremendous damage in the lives of officers, ruining careers and in some cases leading them to take their own lives. In his book *Copshock: Surviving Posttraumatic Stress Disorder*

Kates provides a primer on what PTSD is. It is "a normal reaction to an abnormal amount of stress." While hard to diagnose, it has been around for a long time under different names. In the American Civil War, it was called "nostalgia;" in World War I, "shell-shock;" and in World War II, "combat fatigue." The term PTSD originated in the Vietnam experience, but it is the same condition under a new name. While initially only associated with military personnel who had seen intense combat, it is now recognized as something that could affect anyone who has been exposed to or suffered a great catastrophe, violence, crime, or injury. It is even possible for it to develop if the victim experienced only one traumatic event. Not surprisingly, law enforcement officers are prime candidates for PTSD.

PTSD victims experience nightmares and other sleep disorders, flashbacks, disruption of their ability to work effectively, inability to maintain relationships, the fear of repeat occurrences, and feelings of helplessness to stop it. Further complicating matters, as Kates notes, is that officers tend to hide their feelings and emotions as part of the cop culture. They are not only trained to not show emotion and stay in control of themselves and situations, they fear that if they express their feelings to other cops they will be branded as weaklings and become a pariah. Therefore, they keep it in and deal with the pain as best they can. This often leads to abuse of alcohol or drugs, as well as other self-destructive behavior.

The second half of Kates' book is a compilation of resources and advice as to how to help a fellow officer who may be suffering, or get help for you. This section by itself is well worth the cost of the book. It covers topics such as PTSD and other related stress disorders that do not rise to the level of PTSD, giving both advice and the names and addresses of organizations and institutions that can provide help. Additionally, it provides advice and resources for other times and events in the life and career of an officer that can be stressful, such as substance abuse, marital problems, retirement, post officer involved shooting counseling, and other areas.

Kates' book is a tremendous resource for anyone who fears they are losing the battle with stress, or who wants to help a loved one or fellow officer in trouble, or just to have in the agency's library. Since there is no likelihood that stress in police work is likely to do anything but get worse, it is must reading.

Well-Written Policies and Procedures V

Allison Harrison, *Administrative Specialist III*
Staff Services & Planning Office

It is extremely important to have well-written policies in place to guide officers in the performance of their duties, particularly in the areas dealing with use of force and vehicular pursuit, states David Hobson of the Department of Criminal Justice Training.

"Well-written policies not only help to minimize agency liability, but also assist law enforcement officers in their mission to protect life and property," said Hobson, who serves as the DOCJT's Commission on Accreditation for Law Enforcement Agencies (CALEA) accreditation manager and is also a CALEA assessor.

CALEA was established as an independent accrediting authority in 1979 by four major law enforcement membership associations: International Association of Chiefs of Police (IACP), National Organization of Black Law Enforcement Executives (NOBLE), National Sheriffs' Association (NSA), and Police Executive Research Forum (PERF).

The overall purpose of CALEA's accreditation program is to

improve delivery of law enforcement service by offering a body of standards, developed by law enforcement practitioners that covering a wide range of up-to-date law enforcement topics. It recognizes professional achievements by offering an orderly process for addressing and complying with applicable standards.

In the process of compiling a new policy manual, or changing existing information, it is important to understand some basic information about the process.

Policies and procedures are generally written at the same time and originate at top or middle management levels. After a policy is drafted, it should be subjected to a careful review process.

Language and word choices must be as precise as possible so that policies and procedures are clear and understandable. While it may be tempting to fill a policy manual with hard to understand legal terms and lengthy explanations, it is essentially useless if employees cannot understand the policy.

"When drafting policies, make sure to write in such a way that

Legal Considerations of Policies a

Steve Lynn, *Assistant General Counsel*
General Counsel's Office

The General Counsel's office at the Department of Criminal Justice Training frequently receives telephone calls from departments that wish to know what authority they have to discipline an officer for certain behavior that they have deemed inappropriate. More often than not, it is learned through the subsequent conversations that the agency does not have any written policies or procedures by which it operates. The purpose of this article is to relay the importance of policies and procedures, not only from the standpoint of the agency, but from that of the officers as well.

City and County Law Enforcement Agencies

Kentucky has traditionally been an *employment at will* state. In other words, an employee worked at the will of his or her employer. If the employer wished to terminate the employment relationship, they could do so at anytime if the termination was not related to race, sex, age, disability, national origin or religion. However, by statute, Kentucky has provided certain safeguards for law enforcement officers.

For those agencies that participate in the Kentucky Law Enforcement Foundation Program Fund (KLEFPF), KRS 15.520 provides safeguards to the rights of officers in allegations of abuse of official authority or a *violation of rules and regulations of the department* (emphasis added).

KRS 95.450 provides that no member of the police department in cities of the second and third classes or urban-county government shall be reprimanded, dismissed, suspended or reduced in grade for any reason except inefficiency, misconduct, insubordination or violation of law or of *the rules adopted by the legislative body* (emphasis added).

KRS 95.765(1) provides similar protections for officers employed by cities of the fourth and fifth class, stating that no member of the police department shall be removed from the department or reduced in grade upon any reason except inefficiency, misconduct, insubordination or violation of law or *violation of the rules adopted for the departments* (emphasis added).

Why are Policies and Procedures Necessary?

To provide adequate notice of the rules of the department. If the agency has written policies and procedures, a copy can be given to all new officers hired by that department during an orientation session. As an example, if an agency prohibits off-duty employment for its officers, a newly hired officer cannot complain of lack of notice if he or she was given a copy of the agency's policy at the beginning of employment.

es Vital to Organization

all employees will understand,” said Jerry Belcher, a member of the DOCJT’s accreditation team. Using technical language and legalese in business writing can lead to misunderstanding. This undermines the purpose of a policy manual.”

Once the policy has been written, edited and thoroughly reviewed, employees should be notified of the new document. This notification process is important, since all employees must know of its existence to legally uphold the documentation.

Policy manuals should also be kept in a place that is easily accessible to all personnel and should be updated as soon as changes occur. Many employers use a paper filled binder for their policy manuals. This can be an effective practice if the manual is updated as soon as changes occur. Electronic media can also be utilized for distributing manuals. Network drives, the Internet and CD-ROMs are other alternatives.

Regardless of how the information is accessed by an agency’s personnel, it is imperative that all law enforcement agencies have a clear and concise policy and procedures manual.

es and Procedures

To ensure that the department rules are applied uniformly.

Nothing can undermine the morale and work efficiency of an organization faster than a feeling among employees that certain members of the agency receive different and/or more favorable treatment than others. It is easy for this to occur if the agency has no policy and procedures manual in place. Particularly in a large department, the officers of one section may be resentful of the fact that their commanding officer enforces an unwritten rule, while the officers of another section do not have to follow the same requirement.

To protect the agency and/or officers in the event of legal challenge. As mentioned above, several Kentucky statutes permit an agency to discipline an officer if he or she has violated rules established by the agency. If a department punishes an officer for violating an unwritten policy, the department may face a subsequent legal challenge to its imposition of punishment, as well as a request for monetary damages. If that is the case, the courts will have great difficulty in upholding the department’s actions if they are based upon an unwritten rule of which all of the members of the department may not have had notice. Additionally, a written policy may provide additional protections to officers on the street, in the event of a lawsuit filed by a member of the general public.

References

Policies

A statement of policy sometimes includes an explanation of the policy’s purpose or rationale. These general statements should be followed by specific details of the policy. Sections of policy should be numbered accordingly and be easy to follow. Many agencies use the year the policy was adopted as a reference number. For example, policy number 1999-017 was adopted in 1999 and was the 17th policy accepted that year.

Procedures

A statement of procedures provides a detailed explanation of how to carry out a policy. It should provide instructions not only for employees directly involved in the procedure, but also for management, who must ensure that the policy is carried out properly.

As preparation for writing procedures, an administrator should keep a detailed record of the manner in which the policy will be carried out. Make sure to describe not only the action being taken, but also who should be responsible for carrying out the order.

Writing Styles

One of the most important things to remember when writing business guidelines is word choice and language style. Vague and abstract words defeat preciseness because they do not appropriately convey the writer’s meaning. Vague words are imprecise because they can mean many different things.

It is also important to be aware of the connotation and denotation of words. This helps the writer to anticipate the readers’ reaction. Connotation is the suggested or implied meaning of a word, while denotation refers to the literal, dictionary meaning of a word.

When writing policies and procedures, jargon should be avoided unless one can be sure that all readers understand the terms. Avoid choosing words with the objective of impressing readers. The language of policies must be clear to all readers and convey a sense of order.

For more information on policy and procedures writing, please see the following:

IACP (International Association of Chiefs of Police) has model policies that it will release to law enforcement agencies for a fee. See their Web site at

www.theiacp.org/pubinfo/PolCtr.htm

CALEA (Commission on Accreditation for Law Enforcement Agencies) offers an internationally recognized accreditation program. They also offer trainings on policy writing at their conferences. See their Web site at **www.calea.org**

The Business Writer’s Handbook, 6th edition
Gerald Alred, Charles Brusaw, Walter Oliu
February 2000, St. Martin’s Press, New York, New York

The Thud Test

Marilyn Stieneke, Accreditation Manager
Cary, N.C., Police Department

Have you heard of the “Thud Test” for evaluating the quality of agency policies and procedures? Ask a group of policy writers how they judge the quality of their policies and procedures, and at least a few will say, “I rely on the Thud Test.” “What’s that?” you might ask. “After completing the policy and procedures manual, I drop it on the floor,” they answer. “The louder the thud, the better the manual.”

Although some agencies still measure the quality of written directives by weight or volume, many are beginning to understand the liabilities of policies and procedures that are too many, too long or too wordy. To be effective, policy and procedures manuals must be trim, current and accessible. Consider some examples of policies and procedures that are not trim, current and accessible:

- A General Orders manual that includes step-by-step internal operating procedures for every unit whose commander believes that a procedure will secure the unit’s existence during reorganization.
- A policy that buries critical decision-making criteria in wordy narrative paragraphs.
- A draft agency policy that requires 11 original signatures for approval, half of which belong to off-site supervisors and command staff who are not directly involved with the issue being addressed.
- A written directives manual containing copies of forms, with separate procedures for filling out each form.
- A 350-page standard operating procedures manual with a onepage, non-alphabetized index.
- A policy issued or revised by memorandum as an immediate knee-jerk response to a particular event, yet remaining in effect for years or even decades.
- A policy and corresponding procedure with pages of commentary, written by a supervisor eager to demonstrate his comprehensive knowledge of the subject and ability to use legalese.
- A written directives manual with two years of updates stuffed behind the last page.

All of these examples demonstrate written directives systems that are bulky, hard to access, time-consuming to process, obsolete, incomplete or resource-gobbling. None of the examples support an agency’s responsiveness to rapidly changing conditions. All can sabotage an accreditation manager’s best efforts toward effectively managing written directives.

Flunking the Thud Test

Well-written, streamlined policies and procedures flunk the Thud Test. Streamlining can be accomplished by using a zero-based approach. Rather than arguing for excluding a given policy or procedure or portion of one, this approach requires the justification of its inclusion. Each new manual, policy, procedure, section, paragraph or phrase is evaluated from a zero base. That means that nothing is accepted into the written directives system unless it can be proven to meet clearly defined needs, or its exclusion can be shown to cause possible harm to the agency or its employees.

Test criteria for a zero-based approach can be stated in question form. A positive answer to any one of the following questions justifies inclusion or further study. Four “no” answers and the policy or procedure should be history.

1. Is it required by law or by CALEA (Commission on Accreditation for Law Enforcement Agencies) standard?
2. Is it specified by contract?
3. Is it necessary for effective operations?
4. Would any harm come to the agency or its employees if it were eliminated?

On a Mission

Policies and procedures should be derived from the defined mission of the agency and the agency’s overall philosophy. Without a mission statement, the policy and procedures manual will, in all probability, contain policies that lack direction and are contradictory, resulting in confusion in their implementation and inconsistency of enforcement. Therefore, before the first draft or revision is begun, the agency’s management should make sure that the mission of the agency and its operating philosophy are clearly defined and understood, in compliance with CALEA standard 12.2.1 (a).

In many agencies, the terms “policy” and “procedure” or “standard operating procedure” are used interchangeably to describe a management directive relating to the performance of a particular activity. The terms do, however, have distinctly different meanings, which are relevant to their development. The glossary section of CALEA’s Program Standards Manual defines *policy* as “a written directive that is a broad statement of agency principles” and *procedure* as “a written directive that is a guideline for carrying out agency activities.”

In general terms, a policy reflects the agency’s philosophy regarding a particular issue. It defines what the agency intends to do, on a consistent basis, with respect to that issue. In some cases it also may address why the agency intends to take that defined action. A procedure, on the other hand, describes in a sequential manner how – and who, when and where – the agency intends to implement the policy.

The policy and procedures manual as a comprehensive document is an organized compilation of many policies and procedures developed to address all aspects of the agency and its operations.

Essential Characteristics

Policies and procedures, if they are to be an effective management tool, should reflect the following:

Agency Philosophy and Desired Outcomes

The policy and procedures manual provides staff members with a clear, overall picture of the purpose of the agency and their respective roles in the fulfillment of that purpose.

Constitutional and Professional Requirements

These include federal laws, state statutes, administrative rules and regulations and professional standards. CALEA standards in particular are an excellent source for determining performance requirements in various subject areas. Because standards are written as objective, measurable directives, they are often easily adapted into policy statements.

Operational Realities

Each agency has unique mandates, characteristics, capabilities and limitations, all of which affect the content of the agency's policies and procedures. This issue is often overlooked by agencies that attempt to use model manuals or manuals from other agencies, only to find that the contents cannot be applied in many situations.

The Any Key

Most of you have probably heard the tale of the computer help-desk operator who received a call from a perplexed new computer owner who, having read in the user's manual to "press any key," called in to ask "Where's the any key? I can't find it anywhere on my keyboard."

The saga of the "any key" is a reminder to keep the end-user in mind when writing policies and procedures. Start where your readers are, and do not write at a level higher than your readers' knowledge of the subject. Resist the temptation to use legalese. Make sure all the information needed to carry out a procedure is given, the steps are presented in logical sequence and the meaning is unmistakably clear.

The Manual: Who Needs It?

A trim, current and accessible written directives manual is an effective management tool that can benefit the agency in many ways.

A well-written manual:

- Provides direction to staff by communicating the agency's mission and values.
- Promotes consistency, efficiency and professionalism by standardizing the way staff carries out their duties.
- Serves as a formal mechanism for the introduction of new ideas and concepts.
- Serves as a formal mechanism for the transfer of authority and responsibility to line staff.
- Provides a basis for the establishment of comprehensive staff training.
- Provides documentation for the agency's defense in court actions.
- Provides documentation for employee disciplinary actions.
- Provides a mechanism for achieving compliance with CALEA standards.

Electronic Alternatives

Online policies and procedures can be a tremendous improvement over hard copy manuals. Some benefits of electronic systems include immediate accessibility to current information, no inserting of hard copy updates, printing on demand, reduced costs, reduced time from approval to publication and much faster searching. The best online systems include links to related forms and data, automatic notification and an integrated search engine.

To maintain the integrity of the current version of policies and procedures, an online system should include an enabling statement that defines the manual and its format, explains the approval authority system and maintenance responsibilities and establishes that the online version prevails.

Before deciding to publish an electronic manual, it is helpful to ask the following questions:

- Would publishing both in print and electronic formats be advantageous or possible?
- How much more effective would an electronic manual be?
- How much value is added by offering search ability, timeliness, instant access and the time and money saved in revising and reprinting?
- Would it be as readable, as easily distributed and as easily accessed?
- Would it be perceived as having the same authority?
- Which format would be most useful?
- Which format and delivery system can the agency support (software and hardware)?
- Does the agency have staff with the time and expertise to produce and maintain an electronic manual?

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CALEA offers policy, procedure training in March

"Mastering the Manual" is a training session designed to provide participants with ideas for improving their agency's policies and procedures – to help trim them down, keep them current and make them easily accessible and user-friendly. Covered are the basics of layout, design and effective technical writing principles, as well as more advanced concepts of indexing, streamlining, updating and online options. Presented at recent CALEA conferences in Greensboro, North Carolina and San Diego, Mastering the Manual will be on the training agenda again in Jacksonville, Florida, in March 2003.

Health Insurance

Shawn M. Herron, Attorney III
Legal Section

In recent years, the ability to transmit electronic information easily and almost instantaneously across the globe has led to concerns that such ease translates to a serious risk to individual privacy, particularly with regards to health information. As a result, in 1996, Congress passed the Health Insurance Portability and Accountability Act (HIPAA). This act instructed the secretary of Health and Human Services (HHS) to develop recommendations to ensure medical privacy. As dictated by the statute, when the U.S. Congress failed to act upon the recommendations by the deadline, HHS enacted regulations on the issue, with the final regulations taking effect in April 2003.

While the vast majority of the HIPAA regulations are not of particular interest to law enforcement officers in Kentucky, there are a few critical provisions in the "Privacy Rule"¹ that will almost certainly have a tremendous impact on the way officers handle investigations. These provisions include situations in which either victims or suspects are injured, or where medical information is important in making law enforcement decisions. HIPAA applies to all "covered entities," defined as all health care providers (including EMS), health care clearinghouses and health insurance plans, as well as individuals who conduct certain financial and administrative transactions (such as billing) by electronic means. Although law enforcement agencies would not be considered "covered entities" under this regulation, law enforcement agencies do regularly interact with regulated covered entities such as EMS and hospital emergency rooms. All of these interactions will now be governed by HIPAA regulation.

The Privacy Rule provides that disclosures of health information may be made only when the patient consents, or if a specific exception applies. The Privacy Rule covers not only the types of information usually included on a patient's medical chart, but is also being interpreted as including the "recollections and memories of workforce members of healthcare providers, as well as information that merely provides a connection between an individual and the receipt of health care."² For example, without a patient's specific consent, a patient's name may not even be listed in the hospital directory.

The exceptions to the requirement that the patient must consent to the disclosure include when state law requires such disclosures, either by a specific law, such as KRS 620.030, the duty to report child abuse, KRS 403.785, the duty to report domestic violence and KRS 209.030, the duty to report the abuse of an adult, and when such information is requested pursuant to a court order.³ However, the covered entity is required to inform the individual that the report is being made, unless the covered entity reasonably believes that informing the individual would place that individual at risk of serious harm. Another instance would include when the party being informed would be the personal representative of that individual who the covered entity believes to be the person responsible for the harm, such as the spouse of the domestic violence victim. The same regulation also allows the appropriate public health authority to be informed by covered entities when public health surveillance and response is needed, such as in instances of disease outbreaks.

Another section of the same regulation⁴ discusses disclosures made pursuant to either a specific court order, signed by a judicial officer, or a subpoena or discovery request not accompanied by a court order. In these instances, however, the covered entity must receive assurances from the requesting party that a good faith attempt has been made to the individual notifying them about the request for disclosure and the individual has not objected in a timely fashion. Information may also be disclosed under a "qualified protective order" that limits the information being provided to be used only for the specific proceeding for which it was requested.

Finally, the regulation⁵ discusses disclosures for law enforcement purposes. This regulation permits information to be reported as required by state or federal laws, as required by a court-ordered warrant, a subpoena or a summons issued by a judicial officer, grand jury subpoenas and other types of requests, provided the request is "specific and limited in scope to the extent reasonably practicable in light of the purpose for which the information is sought..." The regulation also allows certain information, such as name, address, date/place of birth, Social Security number, blood type, type of injury, date and

Y ACT IMPACTS LAW ENFORCEMENT

time of treatment and death and other distinguishing physical information to be revealed to law enforcement officers who are attempting to identify or locate suspects, fugitives, material witnesses or missing persons. The covered entity may not release information under this section, without the consent of the individual, that relates to DNA, dental records or body fluid/tissue typing. Presumably, however, if the body substance is collected pursuant to a warrant or autopsy, by a non-covered entity, as is usually the case when law enforcement agencies use these substances as evidence, this rule will not apply.

When it comes to victims of crime, the covered entity may reveal information only if the victim consents, or if the victim is physically unable to consent, only when “the law enforcement official represents that such information is needed to determine whether a violation of law by a person other than the victim has occurred, and such information is not intended to be used against the victim” and also “that immediate law enforcement activity that depends upon the disclosure would be materially and adversely affected by waiting until the individual is able to agree to a disclosure.”⁶ In other words, if a victim is undergoing surgery, and the officer is not able to provide a legitimate law enforcement-related reason for immediately requiring the information, the covered entity may not disclose the information. Information related to deceased persons may only be released to the coroner, as required by law, and to law enforcement officers if the “covered entity has a suspicion that such death may have resulted from criminal conduct.”⁷ The covered entities may also disclose information “to avert a serious threat to health or safety” if the provider believes that the information is necessary to “prevent or lessen a serious and imminent threat to the health or safety of a person or the public”⁸ and may only be made to someone who might “reasonably be able to prevent or lessen the threat, including the target of the threat.”⁹ However, if the patient makes statements indicating involvement in a violent crime that caused serious physical harm to another, the provider may not disclose that information if the patient’s statement was made during the course of counseling or

therapy related to the behavior. Providers must also keep an accounting of all disclosures made pursuant to this regulation, and again, must notify patients of the release of information unless a specific prohibition dictates otherwise.

The potential impact for law enforcement under HIPAA is tremendous. While currently medical information might be routinely and casually exchanged at the scene of an incident, such as between law enforcement officers and EMS personnel, when HIPAA takes effect, EMS crew members, emergency room medical and other health care providers will be prohibited from providing any information concerning patients without the patient’s specific consent, or appropriate court orders. It is important that officers understand and appreciate that medical providers must now be extremely careful about even casual discussion related to patients and may no longer legally provide medical or other private information without a specific court order or representation from a law enforcement officer.

HIPAA is a new and developing law. Officers are encouraged to communicate particular concerns and issues with the author of this article at sherron@docjt.jus.state.ky.us

¹ 45 C.F.R. pt. 160, 164

² Anderson, Daniel R. Health and Human Services Standards for Privacy of Individually Identifiable Health Information

³ 45 C.F.R. §164.512

⁴ 45 C.F.R. 164.512(e)

⁵ 45 C.F.R. 164.512(f)

⁶ 45 C.F.R. 164.512(f)(3)

⁷ 45 C.F.R. 164.512(f)(4)

⁸ 45 C.F.R. 164.512(j)(1)(i)(A)

⁹ 45 C.F.R. 164.512(j)(1)(i)(B)

LEGISLATIVE

Most local and state law enforcement agencies are not aware that the universities and colleges, including the public, private, community and technical colleges, located within the Commonwealth are under a mandatory crime reporting requirement established by both federal and state laws.

Federal legislation was first enacted when President George H. Bush signed into law the Crime Awareness and Campus Security Act of 1990. The act has been amended several times, and in 1998 was renamed the Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act (CLERY).¹

State legislation was enacted by the 2000 General Assembly and the sections of the Kentucky Revised Statutes making up the act are cited as the Michael Minger Act (MINGER).²

Both of these acts have as their impetus the deaths of students on campus. The CLERY Act came about after the murder and sexual assault of Jeanne Clery in her dormitory when she was a student at Lehigh University in 1986. The MINGER Act came about after the death of Michael Minger in the Murray State University dormitory fire in 1998.

Universities and colleges must submit annual reports concerning crimes that take place on campus. Unlike voluntary participation in the Federal Bureau of Investigation's Uniform Crime Reporting system, the reports required under the CLERY and MINGER Acts are mandatory. Failure to comply with the requirements can lead to significant fines.

The CLERY Act report is due October 1 of each year and the MINGER Act report is due September 1 of each year. The acts report crime statistics for each campus property, for public areas adjacent or running through the campus and for specific non-campus property which might include fraternity and sorority housing and/or other remote educational facility locations.

The amendments to the CLERY Act require universities and colleges to provide information in the disclosure document. This information should tell the campus community where the law enforcement agency information that the state provides about registered sex offenders is located. This last change took effect on October 28, 2002, and will be a required part of the 2003 disclosure report.

Both acts also require that a "timely warning" be made to the campus community when a determination is made that any type of criminal incident is a threat to the students and employees. Such warnings should provide not only specific warning information, but information on how to prevent the community and individuals from further victimization. The types of criminal incidents that pose a threat to students and employees are not confined to incidents that take place on campus. If the universities and colleges are aware of a specific threat taking place off campus, but in the vicinity of, or the type that could impact the campus, the warnings must be provided. Local law enforcement can greatly aid the universities and colleges in their jurisdictions if they are aware of the reporting requirements and work with the designated "campus security authority" which may be the campus law enforcement agency, or another administrative office on the campus such as a dean of students.

The MINGER Act has additional requirements that pertain to the reporting of fires or threats of fires. The act, as amended in 2002, provides that "upon learning of a fire or threat of fire, a campus security authority designated by the college or university president to be responsible and liable for reporting shall immediately report each fire or threat of fire to the state fire marshal's office in Frankfort and the local

Universities and Colleges Required to REPORT

*Thomas W. Fitzgerald, Attorney III
Legal Section*

Each of the acts requires the reporting of specific crimes. In addition, the universities and colleges must report liquor and drug law violations, as well as illegal weapons possession if these type of incidents result in an arrest being made or a referral for disciplinary action. The Code of Federal Regulations provides the specific information on what reporting is required.³

The Campus Sex Crimes Prevention Act further amended the CLERY Act.⁴ Enacted in October 2000, the law provides for the tracking of convicted registered sex offenders who are enrolled as students, working, or volunteering on campus.

deputies, assistants, and employees appointed under KRS 227.230. No fire scene located on a campus shall be cleared or cleaned without the express consent of the state fire marshal to do so after a representative of the fire marshal's office has had an opportunity to investigate the scene."⁵

Under the definitions, "immediately" means before the last fire unit has left the scene in order for the fire marshal's office to have the opportunity to speak with fire unit personnel before they leave the scene, but no later than two (2) hours following the

time the fire or threat of fire is discovered. In the event of a minor fire to which local fire officials are not called or do not respond, 'immediately' means no later than one (1) hour following the discovery of the fire."⁶

Like the Federal Code of Regulations, the Kentucky Council on Postsecondary Education has worked to publish the administrative regulations governing the act. The private institutions' regulations concerning campus security are located at 13 KAR 1:030, and for public institutions they are located at 13 KAR 2:100.

Kentucky's universities and colleges have a mandatory crime reporting requirement. Presented properly, this requirement can provide for each campus to demonstrate its commitment to providing for the best possible quality of life on campus by providing for the safety and security of the campus community.

The reporting requirements do not mandate assistance from local and state law enforcement agencies. If your jurisdiction has a university or college located within, you can greatly assist the campus in the mission to maintain a positive educational environment by providing the campus security authority, whether that be a sworn law enforcement agency, a security force, or other administrative personnel with timely information of crimes that may be a threat to the campus community, as well as providing your statistical information as it pertains to areas around and associated with the campus when such information is requested to complete the mandated reports.

Working together, a partnership of local and state law enforcement and the campus security authority, will help provide the universities and colleges with the necessary information required

CRIME

for the mandatory reporting under the CLERY Act and the MINGER Act.

¹ 20 USC 1092 (f)

² KRS 164.9489

³ 34 CFR 668.46

⁴ Public Law 106-386

⁵ KRS 164.9483 (4)

⁶ KRS 164.948 (4)

USERRA

Protecting Service Member Rights and Benefits

Due to recent world events, America's law enforcement agencies have had to deal with many of their personnel being called up to military duty. While producing immediate problems, the call-up also has the potential for future problems when these employees return to work. This can involve questions regarding health care, pension and employment issues. What are the employee's rights upon returning to work? What are the employer's rights? What benefits, if any, have they accrued while on military leave?

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) was signed into law on October 13, 1994. USERRA clarifies and strengthens the Veterans' Reemployment Rights (VRR) Statute. The Act itself can be found in the United States Code at Chapter 43, Part III, Title 38.

USERRA is intended to minimize the disadvantages to an individual that occur when that person needs to be absent from his or her civilian employment to serve in this country's uniformed services. USERRA makes major improvements in protecting service member rights and benefits by clarifying the law and improving enforcement mechanisms. It also provides employees with Department of Labor assistance in processing claims. Specifically, USERRA expands the cumulative length of time that an individual may be absent from work for uniformed services duty and retain reemployment rights.

The law is intended to encourage noncareer uniformed service so that America can enjoy the protection of those services, staffed by qualified people, while maintaining a balance with the needs of private and public employers who also depend on these same individuals.

USERRA potentially covers every individual in the country who serves in or has served in the uniformed services and applies to all employers in the public and private sectors, including Federal employers. The law seeks to ensure that those who serve their country can retain their civilian employment and benefit, and can seek employment free from discrimination because of their service. USERRA provides enhanced protection for disabled veterans, requiring employers to make reasonable efforts to accommodate the disability.

USERRA is administered by the United States Department of Labor, through the Veterans' Employment and Training Service (VETS). VETS provides assistance to those persons experiencing service connected problems with their civilian employment and provides information about the Act to employers. VETS also assists veterans who have questions regarding Veterans' Preference.

Information for this article came from the Department of Labor's Web site. For additional information see the Department of Labor's Web site at www.dol.gov/elaws/vets/userrra/userrra.asp or contact your local VETS office.

CLOSING

Cleared by Arrest - Opened by Indictment

*Cynthia Gale Cook, Commonwealth Attorney
42nd Judicial Circuit*

"Law & Order" is one of the most popular television series. It always opens, "In the criminal justice system, the people are represented by two separate, yet equally important groups: The police who investigate crimes and the district attorneys who prosecute the offenders."

But after the opening, this show demonstrates that police and prosecutors are not a team. Often there are scenes in which the prosecutor berates the police for failing to observe the niceties of search and seizure law. For their part, the police snarl at the prosecutors who have not a clue as to what the officer's job requires.

Unfortunately, art mirrors reality regarding the state of police-prosecution organization. Prosecutors find that the drugs were not sent to the lab; that the drugs were sent to the lab but two samples were placed in the same package and the containers shattered in shipment, or, that the evidence locker was burglarized six months earlier and no one reported it. The police complain that everyone in the courtroom is a lawyer or has a lawyer but them; that the assistant county attorney reads a newspaper during preliminary hearings or that the prosecutor who still doesn't know the rules of evidence is the one assigned to their cases. These kinds of problems are universal and probably are not going to go away given that police and prosecutors are human.

In the Commonwealth of Kentucky, the structure of the criminal justice process adds to the stress that completely independent agencies experience when they attempt to coordinate their behavior. At the bottom of the police uniform incident report there is a box to be checked next to the phrase, "cleared by arrest." At the top of each prosecutor's files is a circuit court case number. Between the two, the police case clearance and prosecutor's case opening, is a hole that can be 72 days wide.

Road-kill and milk-carton-poster cases are found on both sides of the big hole in interagency cooperation. Road-kill cases are where the police run down a culprit and throw the carcass on the prosecutor's front porch for disposal. Milk-carton-poster cases are where the police show up for trial and discover the case settled a month ago. Both kinds of cases make police and prosecutors regard one another with less than charity.

In the 42nd Judicial Circuit, a pilot program was undertaken to bridge the gap created by the structure of the process and the clash of cultures depicted in "Law & Order" and lived out in the prosecutors' offices and the police and sheriff's departments throughout our Commonwealth. An attorney was assigned to assist detectives during investigations. A concerted effort is being made to involve the case officer in trial preparation. The good news is that the experiment worked. The bad news is that it

involves far more effort than was anticipated and that the stress of culture shock is directly proportional to the amount of contact made between the alien agencies.

The police often experience stress and discouragement when they discover that a 10 year sentence for manufacturing methamphetamine is probated after the defendant has served six months by the court granting shock probation. The only people "shocked" by this form of probation are the police, the public and the victims. The defendants and their attorneys often view shock probation as an entitlement.

Police and prosecutors have a common motivation that does not include the accumulation of great wealth. That motivation is power. That power is the capacity to make a difference. Police and prosecutorial discretion is virtually absolute. The choice of whether to ignore, warn, charge and arrest is placed in the hands of the newest graduate of the academy. The decision to dismiss, amend charges, enter into a plea agreement or seek the maximum penalty is given to assistant prosecutors who are just out of law school. Neither police nor prosecutors enjoy attempts to interfere with their status as power holders.

Police are less defensive about their powers of search and seizure, but are often curious about what prosecutors regard as evidence. The prosecutor invited to the crime scene asks that items that appear to the officers as irrelevant, be bagged and tagged as evidence. In forensic photography, prosecutors like long shots and the police like close-ups. In interrogation, police seek information that goes to safety, additional arrests or search warrants. Prosecutors typically start at the other end of the inquiry with a view to establishing evidentiary foundations: "Who told you that?" "When?" "Where were you?"

Police participation in prosecution and trial preparation is an absolute necessity. And, of course, this comes after the arrest of the offender and after the officer has closed his or her case. Often, the prosecutor has only the information provided in the officer's report. Often the prosecutor is not provided with knowledge of certain facts because the officer knows the disclosure of sources and methods vital to police intelligence will interfere in their ability to perform their chosen goal - To make a difference.

Rule of Criminal Procedure 7.24 requires of prosecutors (and police) as follows:

Discovery and inspection

(1) Upon written request by the defense, the attorney for the Commonwealth shall disclose the substance of any oral incriminating statement known by the attorney for the Commonwealth

THE GAP

to have been made by a defendant to any witness and to permit the defendant to inspect and copy or photograph any relevant (a) written or recorded statements or confessions made by the defendant, or copies thereof, that are known by the attorney for the Commonwealth to be in the possession, custody, or control of the Commonwealth, and (b) results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with the particular case, or copies thereof, that are known by the attorney for the Commonwealth to be in the possession, custody or control of the Commonwealth.

(2) On motion of a defendant the court may order the attorney for the Commonwealth to permit the defendant to inspect and copy or photograph books, papers, documents or tangible objects, or copies or portions thereof, that are in the possession, custody or control of the Commonwealth, upon a showing that the items sought may be material to the preparation of the defense and that the request is reasonable. This provision authorized pretrial discovery and inspection of official police reports, but not of memoranda, or other documents made by police officers and agents of the Commonwealth in connection with the investigation or prosecution of the case, or of statements made to them by witnesses or by prospective witnesses (other than the defendant).

(8) If subsequent to compliance with an order issued pursuant to this rule, and prior to or during trial, a party discovers additional material previously requested which is subject to discovery or inspection under the rule, that party shall promptly notify the other party or the other party's attorney, or the court, of the existence thereof.

(9) If at any time during the course of the proceedings it is brought to the attention of the court that a party has failed to comply with this rule or an order issued pursuant thereto, the court may direct such party to permit the discovery or inspection of materials not previously disclosed, grant a continuance, or prohibit the party from introducing in evidence the material not disclosed, or it may enter such other order as may be just under the circumstances.

Rule of Criminal Procedure 7.26(1) requires

Demands for production of statement and reports

(1) Except for good cause shown, not later than forty-eight (48) hours prior to trial, the attorney for the Commonwealth shall produce all statements of any witness in the form of a document or recording in its possession which relates to the subject matter of the witness's testimony and which (a) has been signed or initialed by the witness or (b) is or purports to be a substantially verbatim statement made by the witness. Such statement shall be made available for examination and use by the defendant.

The laws directing discovery and inspection and the production of statement and reports for the defendant require the prosecutor to

disclose to the defendant information that is "in the possession, custody or control of the Commonwealth." This includes information that the prosecutor does not have in his or her "possession, custody or control." Moreover, this includes information *the prosecutor does not know exists*. In *Anderson v. Com.*, 864 S.W.2d 909, the Kentucky Supreme Court stated:

Assuming it is true the Commonwealth Attorney was not personally aware of the statement, the error is no less palpable where the police detective who took the statement is sitting at his side. **It is no answer to say the Commonwealth Attorney is "unaware" of a statement**, if the statement was taken by the investigating officer in charge of the case. **In such circumstances the knowledge of the detective is the knowledge of the Commonwealth**. The Commonwealth Attorney should advise the police that such evidence must be produced, and he bears the same responsibility for producing the statement as would pertain if it were in his file.

pp. 912-913 [emphasis supplied]

In *Anderson*, the defendant William Anderson was convicted of two counts of first-degree rape and Wilma Anderson was convicted of two counts of first-degree criminal abuse. The victim, D.H. had provided a taped statement to the detective. This statement was not provided to the defendants. The failure to provide the defense counsel with access to the taped statement of the victim was prejudicial.

Also, in the *Anderson* appeal, the issue was raised as to statements made by Wilma Anderson to a social worker investigating the case for the Cabinet for Human Resources. The social worker testified as to statements given to her by Wilma. These statements had not been disclosed to the defendants' attorney. While certain information contained in a CHR report is confidential, the existence of statements made by a defendant and contained in these reports is discoverable under RCr 7.24.

Over a quarter of a century ago, in the 1975 edition of the Kentucky Prosecutors Handbook, prepared by the Office of the Attorney General, Prosecutors Assistance Division, the first paragraph of the first page begins:

Without open communication and mutual trust and respect between the local police officer and the prosecutor, effective law enforcement will be hampered. When a court or jury renders a verdict of not guilty and the prosecutor, leaving the courtroom exclaims "sloppy police work" followed by the police officer's comment "stupid prosecutor," the lack of communication, the lack of mutual trust and respect, is apparent.

Teamwork that includes prosecutorial support for police prior to arrest and police support for the prosecutor after indictment can close the gap created by the structure of Kentucky's criminal procedure and the clash of interagency cultures. Cases can and should be opened by arrest and closed by conviction.

The JAILER System

Advanced Surveillance Technology Deployed at Rural Correctional Facility

*Eastern Kentucky University Justice and Safety Center &
The Rural Law Enforcement Technology Center*

The Eastern Kentucky University Justice and Safety Center (JSC) and the Rural Law Enforcement Technology Center (RULETC) announced that they have introduced a new advanced surveillance technology system, the JAILER (Jail Assessment Initiative for Law Enforcement Emergency Response), at the Three Forks Regional Jail in Beattyville. The system, developed by Intrinsyc Software, allows personnel to remotely monitor and control security cameras using desktop computers and wireless handheld devices. The JAILER was made possible with funding from the United States Department of Justice, National Institute of Justice (NIJ)/Office of Science and Technology (OST).

The Three Forks Regional Jail, which serves Lee, Wolfe and Owsley counties, was chosen based on the new facility's



infrastructure and its willingness to participate as a national technology test bed. The new technology is based on Intrinsyc's CerfTMCube reference design, Microsoft's Windows CE.NET embedded operating system and the .NET Compact Framework. The system allows personnel to remotely view live video, receive camera alarms, alerts and notifications, and adjust camera pan, zoom, tilt and focus over the Internet using desktop computers or Windows-powered wireless handheld personal digital assistants. The JAILER system is designed for scalability, so extra cameras can easily be incorporated by adding inexpensive Ethernet routers or hubs and all data can be retrieved over a secure wireless network.

The system will undergo rigorous evaluation by the JSC, which will help ensure that the software and hardware meets the quality and security needs of the public safety and security community. Upon completion of the evaluation, results will be provided to the NIJ/OST for national dissemination. The technology will remain at the Three Forks Regional Jail after the evaluation has been completed.

"For many rural correctional facilities, limited financial resources make it difficult to employ adequate personnel to consistently monitor all locations within the facility. The JAILER concept solves this problem by acting as a 'force multiplier,' allowing jail personnel to be mobile while monitoring the security system," said Jail Administrator Jeff Robinson. "The Three Forks Regional Jail looks forward to partnering with the ECU JSC and the RULETC to serve as a test bed for this technology."

"The JAILER is an excellent example of how Intrinsyc's advanced technology can be combined with existing products to accelerate functionality and improve operational efficiencies," said Neil McDonnell, Intrinsyc president and CEO. "We are proud to provide the ECU JSC and the RULETC with innovative solutions that ensure public safety and security."

"The JAILER system takes advantage of the seamless network integration found in Windows CE .NET and helps raise the bar for surveillance technology," said Scott Horn, director of the Embedded and Appliance Platforms Group at Microsoft Corp. "By utilizing the next-generation web services components found in Windows CE .NET, the innovative JAILER system is able to communicate with hand held devices to remotely manage its security surveillance system."

For more information on this system, contact Ryan Baggett (EQU JSC) at (859) 622-8261, Rod Maggard (RULETC) at (606) 436-8848, or Jeff Robinson (Three Forks Jail) at (606) 464-2598.



RULETC/SUBMITTED

Eastern Kentucky University Justice and Safety Center



Eastern Kentucky University's Justice and Safety Center (JSC) provides public safety and security agencies with research/development, assessment/evaluation and training/technical assistance in five technology areas: first responder, surveillance, use-of-force, simulation/distributed learning and homeland security. The JSC is located at EKU's nationally recognized College of Justice and Safety in Richmond. Additionally, the JSC serves as the corporate host for the Rural Law Enforcement Technology Center. For more information, visit <http://www.jsc.eku.edu> or contact Ryan Baggett at (859) 622-8261.

Rural Law Enforcement TechnologyCenter



The Rural Law Enforcement Technology Center (RULETC), located in Hazard, provides responsive solutions and practical benefits to rural law enforcement and corrections through a no-cost technology and technical assistance program. The RULETC is a program of the National Institute of Justice. Current RULETC program initiatives include the 1033 program, which provides surplus government property to law enforcement agencies, and live video streaming of various law enforcement training topics across the Internet and the Mobile Technology Demonstration Program. For more information, visit <http://www.justnet.org/ruletc> or contact Rod Maggard at (606) 436-8848.

TECH

Law Enforcement Support

Police Get Crash Investigation Tool

Tulsa World (01/03/03) P. A9; Morgan, Rhett

The Broken Arrow, Oklahoma, Police Department recently implemented a laser system called Quick Map 3D for analyzing car accidents in less time. Officers point the system's laser at different points to send information to a portable data collector, says Sgt. Ed Ferguson of the Traffic Specialist department. The information is sent to and processed by a PC, which creates a three-dimensional diagram of the crash, he says. "You don't have to manually obtain measurements for everything you need to document," Ferguson says. The system is intended to be used for only the most serious situations where lives are in danger, he says. Ferguson notes that both the Federal Highway Administration and the National Highway Traffic Safety Administration have called upon police agencies to apply such "quick-clearance practices." The laser system costs approximately \$3,000 and will be merged with the department's Laser Infrared Detection and Ranging (LIDAR) devices. <http://www.tulaworld.com>

New Crimebusting Technology on the Scene

United Press International (12/30/02); Borkowski, Adrianna

Forensics Technology's Integrated Ballistics Identification System (IBIS) reads the microscopic details on the surfaces of bullets and cartridge casings to help find evidence for crimes. Businessman Robert Walsh learned in 1990 that there was no integrated approach to forensics information, and he put together imaging machines and computers that capture images and store the information in a database. Forensic Technology's clients include the Bureau of Alcohol, Tobacco and Firearms (ATF), which uses 233 machines to form the National Integrated Ballistics Identification Network (NIBIN). NIBIN director Patty Galupo says that the network has become invaluable for law enforcement. As of last June, the ATF said it had successfully matched 4,400 bullet images from a database containing over 800,000. Police departments say that IBIS allows them to process large quantities of evidence on limited resources. <http://upi.com/view.cfm?storyID=20001223-114823-2802r>

EBR Agencies on Cutting Edge

Baton Rouge Advocate (01/02/03) P. 1A; Moore, Melissa

East Baton Rouge Parish in Louisiana is testing a new technology that gives law enforcement officers access to law enforcement databases from different agencies. Officers making traffic stops will be able to enter license plate numbers and get nearly instantaneous information about the car and the owner, and even a driver's license photo, as well as warnings if the registered owner is wanted on arrest warrants or has prior arrests for violent crimes. Sheriff's Chief Criminal Deputy Col. Mike Barnett says that Baton Rouge is the first law enforcement agency anywhere to link completely disparate databases; they get data from local, state, and federal databases, including the FBI's National Crime Information Center. A previous effort in that direction was predicated on a "data warehouse" model, or one container for all agencies, but this made agencies lose control over their data and was hard to keep current. Thinkstream's Barry Bellue proposed a system that would let computers simultaneously access each database and integrate the results, and has offered to donate the software to each Louisiana law enforcement agency. If the technology catches on, the company could become highly profitable by selling it to other agencies. http://www.theadvocate.com/stories/010203/new_edge001.shtm

Test Results: Frangible Ammunition Vs. Armor

Police and Security News (12/02) Vol. 18, No. 6, P. 76

The NIJ was sufficiently roused by a recent controversial report published on the Internet that reported that an armored vest was successfully pierced by a frangible round, to issue a statement saying that it was investigating the validity of the claim and undertaking independent testing. In the meantime, an official from the Orange County Sheriff's Department Firearms Training Unit took matters into his own hands and contacted the U.S. Armor Corporation of Sante Fe Springs, California, and requested samples of current issue ballistic armor to use in a legitimate monitored test, using gelatin and chronographs in a controlled environment. Ammunition and other equipment for the experiment was supplied by the Winchester Ammunition Company. Fired under these circumstances using a variety of 9 mm and .40-caliber frangible ammunition, none of the rounds was successful in completely penetrating any of the four current models of NIJ-certified armored vest packages. The deepest penetration was into the eighth layer of a 19-layer, lightweight Level IIA panel. Tests of two SXT 9 mm rounds were made as well; the 9 mm, 127-grain +P+ SXT round was stopped by the eighth panel of a 28-layer, Level IIIA vest and a 9 mm, 147-grain SXT round was stopped by the third panel of a 19-layer, Level IIA vest. <http://www.policenandsecuritynews.com>

Maryland State Police Test First 'Smart' Patrol Car

Associated Press (12/31/02); Potter, Angela

The Maryland State Police is testing prototype voice-activation technology developed by Visteon. TACNET is based on technology built by the company for high-priced cars, such as Jaguar. The system, which is customized to meet the needs of law enforcement personnel, activates lights, siren, radar, video and radio via voice commands. In addition, TACNET provides Internet access, e-mail capabilities, and a virtual display of suspects' license information and criminal history on the cruiser's windshield. Testing relies on a single cruiser equipped with the technology, which also permits simultaneous transmission over various radios and improved communication between different law enforcement agencies. <http://www.ap.org>

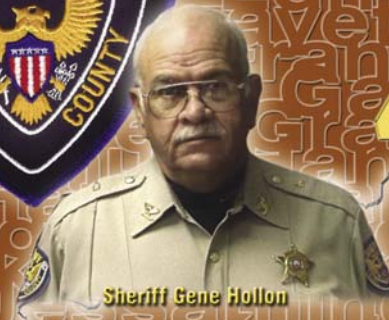
Global Positioning Systems Credited With Cut in Car Thefts

Associated Press (01/02/03)

Global Positioning Systems (GPS) increasingly prevalent in high-end cars and SUVs are making it difficult for car thieves to abscond for long. Jason Redditt and Travis Townes carjacked three cars in a span of 10 days two years ago, and federal prosecutor Tony Arvin calls their apprehension "the first carjacking case I know of where [GPS] came into play." The third car the pair stole was a Cadillac Escalade outfitted with OnStar GPS and police caught them within an hour of the theft. Maj. William Walsh of the Memphis, Tennessee, police believes GPS systems will enhance his force's ability to recover stolen cars; the Memphis police already recover approximately 90 percent of about 11,000 cars stolen every year in the city. GPS satellite tracking costs between \$17 and \$70 per month, and beyond driver perks, police can use GPS to track a GPS-outfitted car to within a few hundred feet of its location. OnStar, for instance, will not begin tracking a stolen car until the police are officially notified in order to safeguard customer privacy, says an OnStar spokesperson. <http://www.ap.org>

Department Call

Laurel County Sheriff's Office
203 South Broadway Street
London, Ky. 40741
(606) 864-6600



Sheriff Gene Hollon

Laurel County

Founded: December 12, 1825
County: Laurel
Current Force: 30 deputies; 5 bailiffs
Coverage Area: 464 square miles
County Population: 62,553

INSIDE INFORMATION

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